

# State Corporation Commission

## 2003 Fiscal Impact Statement

**1. Bill Number** HB2618

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron**    Nutter

**3. Committee**    Labor and Commerce

**4. Title**    Unsolicited facsimile transmissions.

**5. Summary/Purpose:**

Unsolicited facsimile transmissions. Make the unsolicited transmission of advertising materials by facsimile a prohibited practice under the Consumer Protection Act. The bill eliminates the requirement that the unsolicited facsimile be advertising goods or services for sale or lease. The State Corporation Commission is empowered to order a call blocked to any telephone number used in connection with such transmissions. Enforcement provisions under the Consumer Protection Act (i) permit the Attorney General to issue civil investigative demands and assurances of voluntary compliance, (ii) create an individual action for damages, and (iii) permit aggrieved parties or the Attorney General to seek injunctive relief to prevent further violations.

**6. Fiscal Impact Estimates are:** Preliminary

**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2003-04	\$53,825	1	GF
2004-05	\$48,732	1	GF

**6b. Revenue Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2003-04	0	0	NA
2004-05	0	0	NA

**7. Budget amendment necessary:** Yes.

**8. Fiscal implications:** In order to investigate alleged violations of this bill, the Virginia Department of Agriculture and Consumer Services will need to hire one (1) additional investigator (FTE). Estimated costs during the first year are \$45,325 for salary and benefits, \$6,000 for computer equipment and furniture, and \$2,500 for telephone and office supplies. Estimated costs during the second year are \$46,232 for salary and benefits, and \$2,500 for telephone and office supplies. Altogether, implementation of this bill would require a budget amendment \$53,825 for the first year of the biennium and \$48,732 for the second year for the Department of Agriculture and Consumer Services.

**9. Specific agency or political subdivisions affected:** Virginia Department of Agriculture and Consumer Services; Office of the Attorney General; State Corporation Commission.

**10. Technical amendment necessary:** No.

**11. Other comments:** At this time, the State Corporation Commission does not anticipate any fiscal impact from the implementation of this bill.

**Date:** 01/22/03/SCB/WI

cc: Secretary of Commerce and Trade