

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB910

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

2. Patron: Stuart

3. Committee: Passed both Houses

4. Title: Automatic dialing-announcing devices; penalty

5. Summary: The bill prohibits callers from using an automatic dialing-announcing device to make a commercial telephone solicitation unless the subscriber has requested, consented to, permitted, or authorized receipt of the message or unless the message is preceded by a live operator who obtains the subscriber's consent before the message is delivered. The measure also requires automatic dialing-announcing devices or other devices that disseminate a prerecorded or synthesized voice message to the number called to disconnect within five seconds after termination of the telephone call. An automatic dialing-announcing device selects and dials telephone numbers and disseminates a prerecorded or synthesized voice message to the telephone number called. A violation of these requirements is a prohibited practice under the Consumer Protection Act. The existing prohibition on using recorded solicitation calls is repealed. The existing prohibition makes recorded solicitations for initial sales contacts a Class 4 misdemeanor and recorded solicitation calls that do not disengage a Class 3 misdemeanor.

6. Fiscal Impact Estimates: The bill does not have a fiscal impact.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Any cost associated with investigation and enforcement of violations of the provisions of the bill will be absorbed by the Department of Agriculture and Consumer Services.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 3/9/2009 dpbkbs

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cc: Secretary of Agriculture and Forestry