

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** SB812

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
<b>Second House</b>	<input checked="" type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Morrissey

**3. Committee:** Labor and Commerce

**4. Title:** Telephone privacy protection.

**5. Summary:** Provides that for the purposes of the Virginia Telephone Privacy Act (the Act), "telephone solicitation call" includes any text message sent to any wireless telephone with a Virginia area code, or to a wireless telephone registered to any natural person who is a resident of the Commonwealth, for the purpose of offering or advertising any property, goods, or services for sale, lease, license, or investment, including offering or advertising an extension of credit or for the purpose of fraudulent activity. The bill prohibits a telephone solicitor from engaging in any conduct that results in the display of false or misleading caller identification information on the called party's telephone. The bill increases the amount of damages and the amount of the civil penalty for violations of the Act from \$500 for each such violation to \$500 for a first violation, \$1,000 for a second violation, and \$5,000 for each subsequent violation and increases to \$5,000 the maximum civil penalty the court may impose for a willful first or second violation.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** No fiscal impact is anticipated to the Office of the Attorney General.

Violators of the provisions of the bill are subject to civil penalties. All civil penalties served under this Act are deposited to the Literary Fund.

**9. Specific Agency or Political Subdivisions Affected:** Office of the Attorney General.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** HB1244, as passed by the House, is the companion to this bill.