

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** SB910

House of Origin      X     Introduced                 Substitute                 Engrossed  
Second House                In Committee             Substitute                 Enrolled

**2. Patron:**        Stuart

**3. Committee:** Commerce and Labor

**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 The existing prohibition on using recorded solicitation calls is repealed.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:** 1/20/2009    dpbkbs

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cc: Secretary of Agriculture and Forestry