# Department of Planning and Budget
## 2019 Fiscal Impact Statement

1. **Bill Number:** SB1041-ER

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

2. **Patron:** Richard H. Black

3. **Committee:** Commerce and Labor

4. **Title:** Va. Telephone Privacy Protection Act; joint liability of seller & telephone solicitor for violation.

5. **Summary:** Provides that a telephone solicitor and the seller on whose behalf or for whose benefit a telephone solicitation call offering or advertising a seller's property, goods, or services is made or initiated are jointly and severally liable for violations of the Virginia Telephone Privacy Protection Act (§ 59.1-510 et seq.). The measure establishes a presumption that a telephone solicitation call offering or advertising a seller's property, goods, or services is made or initiated on behalf of or for the benefit of the seller and provides that this presumption may be rebutted if it is shown by clear and convincing evidence that(i) the seller did not retain or request the telephone solicit or to make telephone solicitation calls on the seller's behalf or for the seller's benefit and (ii) such telephone solicitation calls were made by the telephone solicitor without the seller's knowledge or consent. The measure contains technical amendments.

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

7. **Fiscal Impact Estimates:** None.

8. **Fiscal Implications:** The Attorney General and Department of Law indicates that the bill presents no fiscal impact.

9. **Specific Agency or Political Subdivisions Affected:** Attorney General and Department of Law

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

11. **Other Comments:**