

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0340-01  
Bill No.: HB 56  
Subject: Telecommunications; Political Parties  
Type: Original  
Date: April 14, 2009

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Bill Summary: The proposal expands the No-Call List to include cell phone numbers, prohibits sending unsolicited faxes and test messages, and prohibits using automatic dialing announcing devices in certain situations.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
Merchandising Practices Revolving*	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**\* Offsetting revenues and costs of an Unknown amount to the Merchandising Practices Revolving Fund, net to \$0.**

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Corrections, Department of Public Safety, and the Office of the State Public Defender** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of the Attorney General (AGO)** assume any costs associated with this proposal can be absorbed with existing resources.

AGO assumes that, under this proposal, complaints regarding automated calls, whether soliciting merchandise or not, as well as unsolicited text messages may be subject to the penalties currently in place for unsolicited phone calls. AGO assumes that, to the extent there is an increase in complaints to the No-Call Unit, those complaints can be handled with existing resources. Moreover, AGO assumes that some of the complaints will result in enforcement action, with monies collected being allocated to the Merchandising Practices Revolving Fund. To the extent there is an increase in workload, AGO assumes that monies collected through enforcement would compensate for such workload increase.

**Oversight** assumes, for fiscal note purposes, any revenues generated by the Office of the Attorney General (AGO) through enforcement actions would equal any costs incurred by the AGO's increased workload in pursuing such enforcement actions.

Officials from the **Office of the Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this proposal for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

**Officials from the Office of Prosecution Services did not respond to Oversight's request for fiscal impact.**

FISCAL IMPACT - State Government

FY 2010  
(10 Mo.)

FY 2011

FY 2012

**MERCHANDISING PRACTICES  
REVOLVING FUND**

Revenues – Office of the Attorney  
General

Collections resulting from  
enforcement actions

Unknown

Unknown

Unknown

Costs – Office of the Attorney General

Increased enforcement costs

(Unknown)

(Unknown)

(Unknown)

**ESTIMATED NET EFFECT ON  
MERCHANDISING PRACTICES  
REVOLVING FUND\***

**\$0**

**\$0**

**\$0**

\* Offsetting revenues and costs of an Unknown amount to the Merchandising Practices  
Revolving Fund, net to \$0.

FISCAL IMPACT - Local Government

FY 2010  
(10 Mo.)

FY 2011

FY 2012

**\$0**

**\$0**

**\$0**

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The proposed legislation expands the No-Call List to include cell phone numbers, prohibits sending unsolicited faxes and text messages, and prohibits using automatic dialing announcing devices in certain situations.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

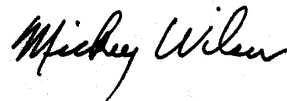
BLG:LR:OD (12/02)

**SOURCES OF INFORMATION**

Office of the Attorney General  
Office of State Courts Administrator  
Department of Corrections  
Department of Public Safety  
Office of the Secretary of State  
Office of the State Public Defender

**NOT RESPONDING**

**Office of Prosecution Services**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
April 14, 2009