

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 424 (Chair, Health and Government Operations
Committee)(By Request - Departmental - Comptroller)
Health and Government Operations

**Comptroller - Monitoring and Recording of Telephone Calls - Training and
Quality Assurance**

This departmental bill authorizes the Comptroller to manage the monitoring and recording of incoming telephone conversations to employees of the Comptroller's call center, to telephones within the offices of the Comptroller, for training and quality assurance purposes. Monitored telephone calls must contain a notice to the telephone caller that "your call may be recorded or monitored for training and quality control purposes." The Comptroller may only record or monitor incoming calls to the automated call distribution system and is prohibited from recording or monitoring calls to or from direct individual lines in the Office of the Comptroller.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None. The Comptroller's Office can handle the bill's requirements with existing budgeted resources.

Local Effect: None.

Small Business Effect: The Comptroller's Office has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: Under § 9-602 of the Criminal Law Article, absent prior approval by the Attorney General, a State official or employee may not directly or indirectly monitor or record telephone conversations to or from any unit of State government. A person who violates this prohibition is subject to a fine of up to \$1,000 and immediate dismissal from State employment.

With prior approval from the Attorney General, a State official or employee may monitor or record telephone conversations on telephone lines reserved for incoming police, fire, and rescue calls, or only with recorder-connector equipment that produces a distinctive tone approximately every 15 seconds.

Background: The bill addresses concerns over the quality of service provided by the Comptroller's call centers. The volume of taxpayer calls has increased in recent years putting added strain on the call centers. The monitoring and recording of telephone calls to the call centers will allow the Comptroller's Office to maintain and improve the quality of services that it provides to Maryland taxpayers.

Chapter 214 of 2009 authorized the Board of Trustees of the State Retirement and Pension System to adopt regulations allowing managers to monitor and record incoming telephone conversations to employees of the Member Services Division of the State Retirement Agency (SRA) for training and quality control purposes.

Additional Information

Prior Introductions: None.

Cross File: SB 191 (Chair, Budget and Taxation Committee)(By Request - Departmental - Comptroller) - Budget and Taxation.

Information Source(s): Office of the Attorney General, Comptroller's Office, Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2012
mc/hlb

Analysis by: Michael Sanelli

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Comptroller – Monitoring and Recording of Telephone Calls –
Training and Quality Assurance

BILL NUMBER: SB 191

PREPARED BY: Comptroller

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.