

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1145 (Delegate Bobo. *et al.*)

Environmental Matters

Automated Dialing Systems - Availability of Sender

This bill provides that a sender of an automated dialing, push-button, or tone-activated address signaling call may not initiate the call unless the sender is on the line and ready to respond to the recipient at the time of the call.

This requirement does not apply to a unit of government that uses an automated dialing prerecorded message machine for emergency purposes, or a person who has a pre-existing business relationship with, or the consent of, the person called. A person who violates this provision is guilty of a misdemeanor and subject to a fine not exceeding \$1,000 for the first offense, and not exceeding \$5,000 for the second offense.

Fiscal Summary

State Effect: General fund revenues could increase by an indeterminate amount as a result of the applicable penalty provision. Assuming that the Consumer Protection Division receives fewer than 50 complaints per year as a result of this bill, any additional workload could be handled with existing budgeted resources. Any additional workload for the Public Service Commission could be handled with existing resources.

Local Effect: None.

Small Business Effect: This bill could meaningfully affect small businesses which utilize automated dialing systems, such as telemarketing businesses and collection agencies. The bill requires these businesses to have an employee on line and ready to respond for each call that they initiate. Small business expenditures would increase to the extent that they must retain additional employees to satisfy the requirements of the bill.

Information Sources: Attorney General's Office (Consumer Protection Division);
Comptroller; Public Service Commission

Fiscal Note History: First Reader - March 11, 1998

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