

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4154 (Substitute H-2 as reported without amendment)
Sponsor: Representative Jim Howell
House Committee: Energy and Technology
Senate Committee: Technology and Energy

CONTENT

The bill would amend Public Act 227 of 1971, which prescribes the rights and duties of parties to home solicitation sales, to provide that at the beginning of a telephone solicitation to a residential telephone subscriber, the person making the solicitation would have to state his or her name and the full name of the organization or other person on whose behalf the call was initiated, and provide a telephone number of the organization or other person on request. A natural person (an individual) would have to be available to answer the telephone number at any time when telephone solicitations were being made.

The person answering the telephone number, given to a residential telephone subscriber upon request, would have to give the subscriber information describing the organization or other person on whose behalf the telephone solicitation was made, and describing the telephone solicitation.

A telephone solicitor could not intentionally block or otherwise interfere with the caller ID function on the telephone of a residential subscriber to whom a telephone solicitation was made, so that the telephone number of the caller was not displayed on the telephone of the residential subscriber.

The bill would not apply to a person subject to the Charitable Organizations and Solicitations Act or the Public Safety Solicitation Act.

The bill is tie-barred to House Bill 4042, which would require the Public Service Commission (PSC) to establish or designate a do-not-call list and prohibit a telephone solicitor from making a telephone solicitation to an individual on the list.

Proposed MCL 445.111b

Legislative Analyst: G. Towne

FISCAL IMPACT

Enforcement costs and fine revenue would depend on the number of violations under the proposed legislation. The Department of Attorney General reports that from December 1, 2000, through September 30, 2001, it received 702 consumer protection complaints involving telephone solicitation. The Department estimates that the bill would increase its workload by the equivalent of 0.5 FTE positions. Any additional staff would depend on the appropriations process.

Date Completed: 12-11-01

Fiscal Analyst: B. Bowerman