

CORRECTED
SESSION OF 2014

SUPPLEMENTAL NOTE ON SENATE BILL NO. 308

As Recommended by Senate Committee on
Utilities

Brief*

SB 308 would allow the Office of the Attorney General to enforce the Kansas law against telemarketers who call a consumer's listed cellphone number in violation of the law. In addition, the bill contains other provisions that would bring Kansas law into compliance with federal law and provide uniformity between the state and federal Do Not Call laws.

Background

The bill was introduced by the Senate Committee on Utilities. At the Senate Committee hearing, Attorney General Derek Schmidt provided proponent testimony for the bill. The Attorney General stated the Kansas No-Call Act was enacted in 2002 and was crafted to apply to traditional landlines, not cellphones. As such, under the current provisions of the Act, consumers' cellphones are left largely unprotected under state law from unwanted telemarketing calls.

Representatives of AARP Kansas, AT&T, Sprint, and Verizon also provided testimony in favor of the bill, stating they were invited to provide input as the Attorney General was considering the drafting of this legislation.

The fiscal note provided by the Division of the Budget states the Office of the Attorney General estimates that an additional one to five cases per year would go to judgment as

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

a result of passage of the bill, with an average penalty of \$10,000. Revenues generated from the penalties would be deposited in the No Call Fee Fund. There would be no additional costs associated with enforcement. Any fiscal effect associated with the bill is not reflected in *The FY 2015 Governor's Budget Report*.