

January 24, 2019

The Honorable Joe Seiwert, Chairperson  
House Committee on Energy, Utilities and Telecommunications  
Statehouse, Room 481-W  
Topeka, Kansas 66612

Dear Representative Seiwert:

**SUBJECT:** Fiscal Note for HB 2024 by Representative Highberger

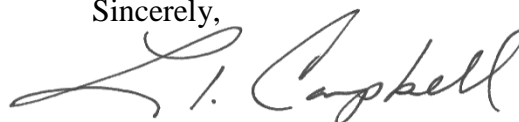
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2024 is respectfully submitted to your committee.

HB 2024 would amend the No-Call Act to require any telephone solicitor who sends an unsolicited consumer communication by text message to identify the originator of the message, the business they represent, and the purpose of the communication. The bill would require the solicitor to discontinue the communication if the solicited gives a negative response at any time. The bill would also prohibit a telephone solicitor from using an automatic dialing-announcing device unless the person being solicited has consented to the communication or if the communication is immediately preceded by a live operator who obtains consent. Additionally, the bill would prohibit consumer telephone communications before 9:00 a.m. or after 8:00 p.m.

The bill would prohibit the use of an automatic dialing-announcing device to make a communication to a hospital, ambulatory surgical center, recuperation center, ambulance service, emergency medical service facility, mental health center, psychiatric hospital, state institution for the intellectually disabled, law enforcement agency, or a public or private fire department. The bill would also prohibit the transmission of false caller information with the intent to defraud, cause harm, or wrongfully obtain anything of value.

According to the Office of the Attorney General, enactment of HB 2024 could result in it issuing additional penalties of up to \$10,000 per violation of the No-Call Act. However, the agency indicates that the fiscal effect cannot be estimated because the calls described in the bill generally originate from overseas call centers, beyond the jurisdiction of the agency. Any fiscal effect associated with HB 2024 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,



Larry L. Campbell  
Director of the Budget

cc: Willie Prescott, Office of the Attorney General