
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4631 (Substitute H-2 as reported without amendment)
Sponsor: Representative Joseph Rivet
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 beginning 120 days after the bill's effective date, if a telephone directory included residential telephone numbers, the person that published the directory would have to include in it a notice describing how a residential telephone subscriber could subscribe to be included on a do-not-call list.

The bill would not apply to a person subject to the Charitable Organizations and Solicitations Act, or the Public Safety Solicitation Act. The burden of proving an exemption would be upon the person claiming it. (The Charitable Organizations and Solicitations Act regulates organizations and persons who solicit or collect contributions for charitable purposes, including benevolent, educational, philanthropic, humane, and patriotic organizations. The Public Safety Solicitation Act regulates the solicitation of contributions by persons affiliated with or organized for the benefit of a group or association of current or former law enforcement officers, fire fighters, or corrections officers.)

The bill is tie-barred to House Bill 4042 which would require the Public Service Commission 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 445.111d

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