



# House of Representatives

General Assembly

**File No. 536**

February Session, 2018

Substitute House Bill No. 5563

*House of Representatives, April 17, 2018*

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING ROBO CALLS AND SPOOFING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-256e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) No person may use any device which transmits an unsolicited  
4 recorded telephone message for any commercial, business or  
5 advertising purpose to any telephone customer in the state and which  
6 continues the call and message after the customer hangs up the  
7 receiver. Any person violating the provisions of this section shall be  
8 fined not more than one thousand dollars.

9 (b) Any person who violates the provisions of subsection (a) of this  
10 section while intentionally using a blocking device or service to  
11 circumvent a telephone customer's use of a caller identification service  
12 or device shall be guilty of a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	16-256e

**Statement of Legislative Commissioners:**

In Section 1(b), "consumer's" was changed to "telephone customer's" for consistency with Subsection (a).

**JUD**      *Joint Favorable Subst. -LCO*

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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 19 \$</b>	<b>FY 20 \$</b>
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill expands the offense of certain telemarketing related calls and results in a potential minimal revenue gain to the extent that fines are levied. However there have been no violations under the current offense in FY 16 or FY 17.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of fines.

**OLR Bill Analysis**

**sHB 5563**

***AN ACT CONCERNING ROBO CALLS AND SPOOFING.***

**SUMMARY**

Existing law prohibits a person from transmitting unsolicited recorded business, commercial, and advertising messages to Connecticut customers through telephone message devices that do not immediately disconnect when the customer hangs up (e.g., robocalls) and requires violators to be fined up to \$1,000.

This bill makes it a class A misdemeanor (punishable by up to one year imprisonment, up to a \$1,000 fine, or both) for a person to intentionally use a blocking device or service to circumvent a customer's caller identification service or device to transmit this type of unsolicited message.

EFFECTIVE DATE: October 1, 2018

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (04/04/2018)