
OLR Bill Analysis

HB 6410

AN ACT INCREASING THE PENALTY FOR VIOLATIONS ASSOCIATED WITH THE NO SALES SOLICITATION CALLS LISTING.

SUMMARY

This bill increases the penalty for violations of existing laws that, among other things, prohibit solicitors from:

1. making unsolicited sales calls to consumers who have enrolled on a “no sales solicitation calls” list, with certain exceptions;
2. installing or using blocking devices to circumvent a consumer’s caller identification (i.e., “spoofing”); and
3. making unsolicited, automatically dialed, recorded calls.

The bill (1) establishes a minimum fine of \$5,000 for each violation and (2) increases the maximum fine for each violation from \$20,000 to \$42,530. By law, violations may also be considered unfair trade practices (see BACKGROUND).

EFFECTIVE DATE: October 1, 2022

BACKGROUND

Connecticut Unfair Trade Practices Act (CUTPA)

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the Department of Consumer Protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual

and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for a restraining order violation (CGS § 42-110a et seq.).

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 26 Nay 0 (03/02/2021)