

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-1615/1	Introduction Number AB-0147
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Description
 caller ID spoofing, granting rule-making authority, and providing a penalty

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs		
<input type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> 0 <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DATCP/ David Woldseth (608) 224-5164	Authorized Signature Jason Gherke (608) 224-4748	Date 4/1/2019
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Fiscal Estimate Narratives

DATCP 4/1/2019

LRB Number 19-1615/1	Introduction Number AB-0147	Estimate Type Original
Description caller ID spoofing, granting rule-making authority, and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits caller identification (ID) spoofing. Under the bill, no person may knowingly transmit misleading or inaccurate caller ID information with the intent to defraud, cause harm, or wrongfully obtain anything of value. The bill also prohibits telephone solicitors from knowingly transmitting misleading or inaccurate caller ID information for any purpose, except that the telephone solicitor may transmit the name of the seller on whose behalf the telemarketing call is placed and the seller's customer service telephone number, if an individual may call that number to make a do-not-call request during regular business hours. The bill creates an exemption for transmissions in connection with authorized activities of law enforcement agencies or a court order specifically authorizing the use of caller ID manipulation. In addition, the bill prohibits a telephone solicitor from blocking the transmission of caller identification information. A person who violates any of these prohibitions is subject to a civil forfeiture of \$100 to \$10,000.

The bill also provides that a telecommunications provider may block calls so that they do not reach the called party if the originating number is not valid; is not allocated to a provider; or is confirmed by the provider to be unused.

DATCP currently regulates spoofing by telemarketers by administrative rule; therefore, it does not anticipate additional consumer complaints from those the department already receives. However, the bill could create additional workload through the caller ID blocking portion of the proposal as there would be a new area of law to regulate and enforce on complaints it currently receives regarding various scams attempted by telephone and telemarketing calls. While the department does not anticipate additional complaints, the department would have new areas of law to investigate and therefore anticipates an increased workload resulting in increased costs for DATCP, but it believes these can be absorbed into existing operations and funding.

The bill specifically calls for rulemaking. If this bill is enacted, the department may need to undergo rulemaking to align ATCP 127 with any changes in statute. However, it believes that Wis. Admin. Code § ATCP 127.14 (16), as currently written, covers spoofing.

Long-Range Fiscal Implications

While caller identification spoofing has been ongoing and reported, DATCP cannot know how many enforcement actions it will make over the long-term as the law becomes better known and technology changes.