

2003 SENATE BILL 538

March 9, 2004 – Introduced by Senators HANSEN, ERPENBACH and DECKER, cosponsored by Representatives PLOUFFE, BLACK, J. LEHMAN and ALBERS. Referred to Committee on Labor, Small Business Development and Consumer Affairs.

1 **AN ACT** *to create* 100.53 of the statutes; **relating to:** disclosure of the
2 geographical locations of call centers, granting rule-making authority, and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

This bill requires that call centers not make or receive telephone calls that relate to customer-based services without disclosing the geographical location of the call center at the beginning of each telephone call. The bill defines customer-based service as being sales or technical assistance or expertise concerning a product or service that is provided to a purchaser or prospective purchaser of the product or service. The bill also requires a call center to submit an annual report to the Department of Agriculture, Trade and Consumer Protection on the procedures used by the call center to ensure compliance with this disclosure requirement.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 100.53 of the statutes is created to read:
5 **100.53 Disclosure of location of call centers. (1) DEFINITIONS.** In this
6 section:

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1 (a) “Call center” means a business that engages in providing customer-based
2 service.

3 (b) “Customer-based service” means sales or technical assistance or expertise
4 concerning a product or service that is provided to a purchaser or a prospective
5 purchaser of the product or service.

6 **(2) PROHIBITION.** No call center may make or receive telephone calls that relate
7 to providing customer-based services to residents in this state without disclosing the
8 geographical location of the call center at the beginning of each telephone call.

9 **(3) ANNUAL REPORT; MONITORING.** (a) Annually, each call center shall submit to
10 the department a report that describes the procedures that the call center
11 implements to ensure compliance with sub. (2).

12 (b) The department shall promulgate rules to establish procedures for
13 monitoring compliance with sub. (2).

14 **(4) REMEDIES AND PENALTIES.** (a) The department of justice, after consulting
15 with the department of agriculture, trade and consumer protection, or any district
16 attorney upon informing the department of agriculture, trade and consumer
17 protection, may commence an action in the name of the state to restrain by temporary
18 or permanent injunction a violation of sub. (2).

19 (b) The department or any district attorney may commence an action in the
20 name of the state to recover a forfeiture to the state of not less than \$25 nor more than
21 \$1,000 for each violation of sub. (2).

SECTION 2. Effective date.

22
23 (1) This act takes effect on the first day of the 10th month beginning after
24 publication.

25 **(END)**