

Fiscal Estimate - 2023 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 23-4166/1	Introduction Number AB-0559
Description caller identification spoofing, granting rule-making authority, and providing a penalty	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
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"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others 0 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected Affected Ch. 20 Appropriations <input 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/ Waylon Hurlburt (608) 224-4857	Authorized Signature Waylon Hurlburt (608) 224-4857
Date 12/15/2023	

Fiscal Estimate Narratives

DATCP 12/15/2023

LRB Number	23-4166/1	Introduction Number	AB-0559	Estimate Type	Original
Description caller identification 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 through a telephone call or text message 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.

DATCP currently regulates spoofing by telemarketers through administrative rule; therefore, it does not anticipate additional consumer complaints from those the department already receives. 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 federal government has already created law and rules to block many of these calls.

The bill specifically allows for rulemaking. If the bill is enacted, the department may need to undergo rulemaking to align ATCP 127 with any changes in statute.

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 laws become better known and technology changes.