

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 754 - HB 1245

March 8, 2019

SUMMARY OF ORIGINAL BILL: Increases, from \$10,000 to \$25,000, the civil penalty limit the Attorney General and Reporter (AG) may levy against a person who committed caller identification spoofing. Establishes that each call wherein the caller identification information is spoofed is a separate offense.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005029): Deletes and rewrites all language after the enacting clause such that the only substantive changes are to: (1) further increase the maximum civil penalty for caller identification spoofing from \$25,000 to \$30,000; (2) delete the provision of the original bill that established that each spoofed identification call is a separate offense; (3) encourage carriers offering telephone services in the state to implement SHAKEN/STIR technology to help detect robocalls; and (4) encourage the AG to call on the Federal Communications Commission to create rules to allow carriers to block more illegal robocalls.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 47-18-2304(b)(1), any civil penalty collected will be paid into the General Fund.
- The proposed legislation could result in an increase in additional cases for the AG; however, any additional cases can be handled within existing resources.
- There will not be a sufficient number of civil penalties levied for state or local government to experience any significant increase in revenue or expenditures.

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- Encouragement to both telephone services carriers and the AG is suggestive and will not impact any additional regulation or expenditures of government entities or private businesses.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- The proposed legislation will not have a significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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