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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 224
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 224's Bill Analysis](#)

Version: As Reported by Senate Judiciary

Primary Sponsor: Sen. Gavarone

Local Impact Statement Procedure Required: No

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Highlights

- The costs for the Office of the Attorney General's Consumer Protection Section to investigate and enforce civil violations of federal telemarketing laws are not likely to be significantly impacted, nor would the collection of civil penalties credited to either the Telemarketing Fraud Enforcement Fund (Fund 5A90) or Consumer Protection Enforcement Fund (Fund 6310).

Detailed Analysis

The bill will not have a significant fiscal impact on the state or local political subdivisions. It replaces exemptions for certain voice service providers with new exemptions for certain telecommunications carriers and issuers of securities regarding the prohibition against providing substantial assistance or support to telemarketers violating federal law. The comparison between the current and new "safe harbor" exemptions is outlined in the [LSC bill analysis](#).

The Ohio Attorney General's Consumer Protection Section investigates and enforces violations of telemarketing laws. According to the Attorney General, the new exemptions are primarily clarifying in nature. Changes at the federal level after the state statute was enacted made the current safe harbor overly broad, extending protections to "bad actors." The bill modifies the safe harbor criteria to be based on compliance with existing state statutes and rules, which may allow for greater enforcement. Overall, the costs for the Office of the Attorney General's Consumer Protection Section to investigate and enforce civil violations of federal telemarketing laws are not likely to be significantly impacted, nor would the collection of civil penalties credited to either the Telemarketing Fraud Enforcement Fund (Fund 5A90) or Consumer Protection Enforcement Fund (Fund 6310).