

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6940
BILL NUMBER: SB 267

NOTE PREPARED: Mar 26, 2007
BILL AMENDED: Mar 20, 2007

SUBJECT: Attorney General Investigative Demands.

FIRST AUTHOR: Sen. Bray
FIRST SPONSOR: Rep. VanHaften

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill provides that if: (1) the Attorney General issues an investigative demand in a civil action concerning a statute enforced by the Attorney General; (2) a person objects to or otherwise fails to obey the written demand; and (3) the person does not reside or maintain a principal place of business in Indiana; the Attorney General may file an application for an order to enforce the demand in the Marion County circuit or superior court. The bill also provides that certain consumer information is confidential for the purposes of registering for or maintaining the no telephone sales solicitation listing.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues: This bill could have a positive impact on state revenues to the extent that more civil actions result in a judgement award for the state. The exact amount of the impact is indeterminable, and will ultimately be determined by the number of judgments that would not have been awarded but for the provisions of this bill.

The Attorney General (AG) , under current law, may file an investigative demand that requires the person served do any combination of the following:

- (1) Produce the documentary material for inspection and copying or reproduction.
- (2) Answer under oath and in writing written interrogatories.
- (3) Appear and testify under oath before the AG or the AG's duly authorized representative.

(Revised) This bill provides that certain consumer information is confidential for the purposes of registering for or maintaining the no telephone sales solicitation listing. The bill further provides that after June 30, 2007, the name, address, and telephone number of a person who registers for the "no call list" may be released for journalistic purposes if the person consents to the release. This provision will only have an impact on the AG to the extent the AG has increased administrative costs in developing and maintaining consent forms for this purpose.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Attorney General.

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Adam Brown, 317-232-9854.