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## FISCAL IMPACT REPORT

SPONSOR McCamley ORIGINAL DATE 2/12/15  
LAST UPDATED \_\_\_\_\_ HM 24

SHORT TITLE Protection From Telemarketing Deception SB \_\_\_\_\_

ANALYST Jorgensen

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	Unknown	NFI	Unknown	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Regulation Commission (PRC)

#### No Responses Received From

Attorney General's Office (AGO)

### SUMMARY

#### Synopsis of Bill

House Memorial directs the New Mexico Attorney General and the New Mexico Public Regulation Commission to study separately what actions each office can take to enforce the provisions of the federal Telemarketing and Consumer Fraud and Abuse Prevention Act and related regulations, and make recommendations regarding state legislation that may be enacted to further protect New Mexico residents from deceptive and abusive telemarketing practices. Reports from both agencies on this issue are due to appropriate interim legislative committees by September 1, 2015.

### FISCAL IMPLICATIONS

The PRC states that the requested study could be conducted with current PRC resources and would have no fiscal impact. The AGO did not provide a response so the potential cost to that agency, if any, is unknown as reflected in the estimated additional operating budget impact table above.

**SIGNIFICANT ISSUES**

The PRC has not taken any specific actions related to the enforcement of the provisions of the federal Telemarketing and Consumer Fraud and Abuse Prevention Act, as the PRC's enforcement authority under this act may be limited. The requested report from the PRC will clarify any potential limitations to the PRC's enforcement authority under this and other related federal and state regulations for the prevention of deceptive and abusive telemarketing practices in New Mexico.

The New Mexico Attorney General has primary enforcement authority Under the New Mexico Unfair Trade Practices Act, NMSA 57-12

CJ/bb