

Legislative Analysis



TELEMARKETER HOME SOLICITATION SALES

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House Bill 4423

Sponsor: Rep. Lisa Wojno

Committee: Energy and Technology

Complete to 11-29-05

A SUMMARY OF HOUSE BILL 4423 AS INTRODUCED 3-1-05

House Bill 4423 would amend Public Act 227 of 1971 concerning home solicitation sales to prohibit telemarketers from leaving certain messages requesting consumers to return calls.

Currently under the act it is an unfair or deceptive act or practice, and a violation of the act, for a telephone solicitor to engage in any of seven practices, including but not limited to misrepresenting or failing to disclose total purchase price and restrictions; misrepresenting the quality of goods; making a false or misleading statement; requesting or accepting payment before the consumer expresses verifiable authorization; offering a prize promotion in which a purchase or payment is necessary to win the prize; and soliciting by telephone a consumer who has requested not to receive calls. House Bill 4423 would retain all of these provisions and add another.

The bill specifies that it would be an unfair or deceptive act or practice, if, while making a telephone solicitation, the caller misrepresented that the consumer had a current business matter or transaction, or a current business or customer relationship with the telephone solicitor (or with another person), in a message left for a consumer on his or her answering machine or voice mail, and requested that the consumer call the telephone solicitor (or another person) to discuss that matter, transaction, or relationship.

MCL 445.111c

FISCAL IMPACT:

There is no fiscal impact on the State of Michigan or its local units of government.

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