

## **Missouri H.B. 1485**

### **Treating Government-Conducted or -Sponsored Research as Telemarketing**

H.B. 1485, sponsored by Rep. Scott Fitzpatrick (R-158), could increase the cost of Missouri state government agencies' research efforts and jeopardize the representativeness and reliability of that research.

It could also help to stigmatize all other bona fide research and hurt participation in non-government research studies.

#### **What H.B. 1485 would do**

H.B. 1485 would expand the definition of "telephone solicitation" in RSMo Section 407.1095, such that telephone calls, faxes, and text messages for the purpose of "participation in informational surveys by any state agency or party acting on behalf of a state agency" would be treated the same as telemarketing, and subjected to the restrictions of the state do not call registry.

#### **Status**

The House Committee on General Laws passed H.B. 1485 on April 1, 2014.

#### **H.B. 1485 would cost Missouri more money and impair the results of state-sponsored research**

Missouri government agencies conducting survey, opinion and marketing research would be driven by this legislation to spend significantly more tax dollars in order to reach respondents whom they used to be able to reach by phone, but would now have to seek out by more time-consuming (and thus expensive) means, such as in-person visits. While some replacement methodologies, such as online panels, can be more affordable than telephone research, they make it much more challenging to compile a representative sample of the population that a state agency seeks to understand. Hence, the data resulting from such studies would be less reliable and less useful to state agencies, legislators, and the general public.

#### **H.B. 1485 would taint all research studies and hurt participation in research studies**

Even more importantly, research is not sales, advertising or marketing. Unlike telemarketing, a survey, opinion or marketing research call does not seek to influence a participant's attitudes or behavior. Lumping in research with telemarketing would potentially taint all research studies by making them comparable in the eyes of the public to sales, advertising and marketing. This would stigmatize all bona fide research (not just research conducted by or for Missouri state agencies) and hurt participation in research studies (which already face all-time low response rates).