

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 2, 2005

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1130 by Cook, Byron (Relating to the adoption of a privacy policy by a person who requires the disclosure of an individual's social security number; providing a civil penalty.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would provide that a person requiring the disclosure of an individual's social security number adopt a privacy policy, make the policy available to the individual, and maintain the confidentiality and security of the social security number disclosed. The privacy policy must include how personal information is collected, how and when it is used, how it is protected, who has access to the personal information and how the personal information is disposed. The bill would provide the Attorney General authority to bring a suit to recover a civil penalty not to exceed \$500 for each calendar month during which a violation occurs and/or to restrain or enjoin a person from violating this section.

The bill may result in new complaints, investigations or cases by the Office of the Attorney General; however, due to the discretionary language it is projected that this increase can be absorbed by current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 327 Employees Retirement System

LBB Staff: JOB, SD, MS, JRO