

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB327 by Zaffirini (Relating to the installation, copying, or use of computer software for unauthorized purposes; providing a penalty.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would prohibit the unauthorized collection or transmission of personally identifiable information, unauthorized transmission or modifications of computer settings, unauthorized interference with installation or disabling of computer software, damage, or any other deceptive act to obtain information from a consumer's computer. The bill would provide the Attorney General authority to bring suit to seek injunctive relief and recover civil penalties of an amount not to exceed \$100,000 for each violation of this statute as well as reasonable attorneys fees and costs. In addition, the bill adds a definition for "cause computer software to be copied;" provides clean up language to incorporate this definition; and adds additional provisions to protect consumers. The bill also adds additional provisions for private causes of action.

Although the proposed legislation may result in new complaints, investigations or cases by the Office of the Attorney General, it is projected that this increase could be absorbed by current resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, JRO, MS