

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 8, 2005**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**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.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Title 4, Business & Commerce Code by adding Chapter 48, which would require that consent or notice be given authorizing the installation, copy, or download of spyware prior to installation and to provide options to cancel and quickly and easily disable and remove the spyware from the computer. The bill would take effect September 1, 2005.

The proposed legislation may result in new complaints to and investigations or cases by the Attorney General's Consumer Protection & Public Health Division. However, 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

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