

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

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

**April 11, 2005**

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

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

**IN RE: SB1465** by Whitmire (Relating to the use of certain electronically readable information on a driver's license or identification certificate to comply with certain alcohol and tobacco related laws; providing a penalty.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code, Transportation Code, and Alcoholic Beverage Code as it relates to the use of certain electronically readable information on a driver's license or identification certificate to comply with certain alcohol and tobacco related laws and provides penalties.

The bill would define a transaction scan device as a device capable of deciphering electronically readable information on a driver's license, commercial driver's license, or identification certificate. The bill would make it a Class A Misdemeanor for a person to retain or market information obtained from a transaction scan device while complying with sections of the Health and Safety Code requiring verification of proof of age prior to the sale of cigarettes or tobacco products.

The bill would take effect September 1, 2005 and apply only to an offense committed on or after the effective date of the act.

**Local Government Impact**

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

**Source Agencies:** 405 Department of Public Safety, 458 Alcoholic Beverage Commission

**LBB Staff:** JOB, KJG, VDS, SJ, LM