

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 12, 2007

TO: Honorable Helen Giddings, Chair, House Committee on Business & Industry

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

IN RE: HB73 by Flynn (Relating to the protection of customer telephone records; providing a penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Utilities Code to provide protection of customer telephone records. The bill would make it illegal for a person to fraudulently obtain or attempt to obtain, or ask another person to obtain a telephone record of any person in this state without the authorization of the person to whom the record pertains. Under the provisions of the bill, violation of this would constitute a state jail felony for a single telephone record, third degree felony for two to ten telephone records, and a second degree felony if there are more than ten telephone records. The bill would also require payment to the owner of the telephone record that was illegally obtained.

The bill would create a new violation under the Deceptive Trade Practices Act and amend the Code of Criminal Procedures to amend the term contraband.

Based on the analysis of the Public Utility Commission, Office of Public Utility Counsel, and Office of the Attorney General, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

While the bill has an effective date of September 1, 2006, this analysis assumes an effective date of September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 473 Public Utility Commission of Texas, 475 Office of Public Utility Counsel

LBB Staff: JOB, JRO, MW, TGI