

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 17, 2007

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

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

IN RE: HB3222 by Elkins (Relating to a business's duty to protect and safeguard sensitive personal information contained in its customer records.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code relating to a business's duty to protect personal information in customer records. The bill would provide that a business that uses an access device to protect sensitive personal information must comply with payment card industry data security standards. Also, a financial institution may bring an action against a business and obtain damages and attorney fees. To the extent the bill would amend court procedures relating to litigation of cases involving business's protection of customer records, no significant fiscal implication to the state is anticipated. The bill would take effect January 1, 2009.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, JRO, ZS, TB