

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 28, 2009**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE: HB3186** by McCall (Relating to the collection and use of biometric identifiers. ), **As Passed**  
**2nd House**

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

The bill would amend the Business and Commerce Code and provides that a person who possesses a biometric identifier of an individual that is captured for commercial purposes may not sell, lease or otherwise disclose a biometric identifier unless the individual consents to the disclosure for identification purposes in the event of the individual's disappearance or death. In addition, the bill requires a person who has obtained a biometric identifier for the purpose of selling, leasing or otherwise disclosing, to destroy the biometric identifier within one year of the date the purpose for having collected the identifier expires. The Office of the Attorney General indicates that any legal work resulting from the provisions of the bill could be reasonably absorbed with current state 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, JM