

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 19, 2009

TO: Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

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

IN RE: HB3672 by Harper-Brown (Relating to the disclosure of personal information under the Motor Vehicle Records Disclosure Act; providing a penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code regarding the use of personal information obtained by an agency in connection with a motor vehicle record. Certain persons would be required to post a \$5,000 surety bond conditioned and payable to the State of Texas on the faithful performance of a written agreement regarding subsequent use of information from a motor vehicle record.

The bill would require the Office of the Attorney General (OAG) to develop, in coordination with the agencies of this state that compile or maintain motor vehicle records, and distribute one or more model agreements to be used by all agencies in connection with the disclosure to requestors of personal information in motor vehicle records maintained by those agencies.

The bill would create as a misdemeanor offense the violation of statute related to the use of personal information obtained from motor vehicle records. Punishment would be by a fine not to exceed \$35,000.

The bill would take effect September 1, 2009.

Based on analysis by the Office of the Attorney General, it is assumed that any costs associated with implementing provisions of the bill could be absorbed within existing resources.

Enforcement costs and revenue from fines imposed for violations would depend on the number of offenses that occur and the discretion of the court in imposing the fine, but is not expected to be significant.

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, KJG, DB