

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 25, 2011

TO: Honorable Aaron Pena, Chair, House Committee on Technology

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

IN RE: HB1052 by Patrick, Diane (Relating to criminal background checks on users of online dating services and to disclosures of online dating safety measures; providing a civil penalty.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code and requires online dating service providers clearly disclose whether they conduct criminal background checks and the parameters of those background checks. The bill could result in additional investigations and cases by the OAG within the Consumer Protection and Public Health Division. It is assumed that any additional costs associated with implementation of the bill could be absorbed within existing state resources.

The bill also provides that an online dating service provider who violates provisions of the bill is liable to the state for a civil penalty not to exceed \$250 for each Texas member registered with the service at the time of the violation. The Comptroller of Public Accounts has indicated that the number of potential violations and the amount of penalties levied are unknown. Therefore, there could be an indeterminate revenue increase to the state.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JOB, AG, MS, JM