

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 18, 2013

TO: Honorable Bill Callegari, Chair, House Committee On Pensions

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB526** by Capriglione (Relating to the confidentiality of information held by a public retirement system.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to remove a provision that allows retirement systems to have sole discretion to determine whether individual member records are confidential or subject to public disclosure. The bill would include a provision that would override any other areas of law with conflicting provisions. The bill would take effect immediately upon receiving a two-thirds majority vote in each house. Otherwise, the bill would take effect September 1, 2013.

The Employee Retirement System estimates there would be a minimal cost associated with implementing the provisions of the bill.

Local Government Impact

The Texas County and District Retirement Systems (TCDRS) reported there would be increased administrative costs to file required documentation with the Office of the Attorney General (OAG) for an opinion to protect confidential member data from being released. The additional costs would vary depending on the number of opinions that TCDRS would seek; however, the amounts are not anticipated to be significant.

The Texas Municipal Retirement System (TMRS) reported there would be increased administrative costs to file required documentation with the OAG for an opinion. The number of determinations that would need to be sought by TMRS is uncertain; however, the amounts are not anticipated to be significant.

The Texas Municipal League reported there could be some additional costs for requesting an Attorney General opinion when records are requested; however, the amounts are not anticipated to be significant.

Source Agencies: 302 Office of the Attorney General, 323 Teacher Retirement System, 327 Employees Retirement System, 338 Pension Review Board

LBB Staff: UP, RB, EP, PFe, WM, TP