

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB912** by Gooden (Relating to images captured by unmanned aircraft and other images and recordings; providing penalties.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would add Chapter 423 to the Government Code to define "image" captured by unmanned aircraft, and would create a class C misdemeanor offense if a person uses an unmanned aircraft to capture an image of a person or privately owned real property captured in the image. The bill would create a Class B misdemeanor for the disclosure, display, distribution or other use of certain related images. The bill would also create defenses to prosecution for images captured under specific circumstances as defined by the provisions of the bill. A Class C misdemeanor is punishable by a fine of not more than \$500. A Class B misdemeanor is punishable by confinement in county jail for a term not to exceed 180 days and/or a fine not to exceed \$2,000. No significant fiscal impact to the state is anticipated.

The bill would require The Department of Public Safety (DPS) to adopt rules and guidelines for the use of an unmanned aircraft by a law enforcement authority in this state. A municipal or county law enforcement agency located in a city or a county with a population of greater than 150,000, or a state law enforcement agency, that used or operated an unmanned aircraft would be required to issue a written report to each member of the Texas Legislature and retain the report for public viewing and post the report on the entity's website, if one exists, as defined by the provisions of the bill.

This analysis assumes the DPS could implement the provisions of the bill within existing appropriations.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. Costs associated with enforcement and prosecution could likely be absorbed within existing resources; and revenue gain from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 466 Office of Consumer Credit Commissioner

LBB Staff: UP, SZ, SD, TP, ESi