

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2268 by Frullo (Relating to search warrants issued in this state and other states for certain customer data, communications, and other related information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to provide procedures for issuing search warrants issued in this state and other states for certain customer data, communications, and other information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services. A search warrant is considered served when the authorized peace officer delivers the warrant by hand, facsimile transmission, mail, or a private delivery service to specified persons, or the Secretary of State (SOS) in the case of a company or entity under Section 5.251 of the Business Organizations Code which specifies that the SOS is an agent of an entity for purposes of service of process, notice, or demand on the entity.

The Office of Court Administration indicates no significant fiscal impact to state courts is anticipated. The SOS indicated no significant fiscal impact is anticipated.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 307 Secretary of State, 405 Department of Public Safety

LBB Staff: UP, ESi, KKR, JP, TP