

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 1, 2013**

**TO:** Honorable René Oliveira, Chair, House Committee on Business & Industry

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB3750** by Farrar (Relating to the destruction of the records of businesses, state and local governments, and nonprofit entities stored on copy machines; 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, the Local Government Code and the Government Code to require businesses, state and local government, and nonprofit entities to destroy records stored on copy machines prior to the entity terminating lease, ownership or use of the machine. Entities violating these requirements would be subject to a civil penalty of up to \$10,000. According to the Comptroller of Public Accounts, the fiscal impact of penalties that may be issued cannot be determined because the number of penalties and the amount that would be assessed for each penalty is unknown.

The Comptroller of Public Accounts, the Health and Human Services Commission, and the Texas Workforce Commission indicate no fiscal impact to the state. The Office of the Attorney General, the Secretary of State, and the Office of Court Administration anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 307 Secretary of State, 320 Texas Workforce Commission, 529 Health and Human Services Commission

**LBB Staff:** UP, JJO, KKR, RB, JI