

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 22, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB1052** by Carona (Relating to 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.), **As Passed 2nd House**

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.

The bill would amend the Code of Criminal Procedure to allow a law enforcement agency to apply for a warrant to obtain location information. The bill defines location information as information that concerns the location of a cell phone or other wireless communication device that is wholly or partly generated or derived from the operation of the device.

The bill would provide for certain warrant request reports to be filed with the Department of Public Safety (DPS) by courts and prosecutors. DPS would then be required to summarize these reports and file them with the Governor, Lieutenant Governor, Speaker of the House, and the chairs of the Legislature's standing committees by June 1st of each year.

It is assumed that any additional workload for state agencies can be absorbed within existing resources.

Local Government Impact

Additional workload for local courts would vary depending on the number of applicable search warrants and orders; however, fiscal impact to local governments is not anticipated to be significant.

Source Agencies: 307 Secretary of State, 405 Department of Public Safety

LBB Staff: UP, ESi, KKR