

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

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 11, 2015**

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

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

**IN RE:** SB1223 by Bettencourt (Relating to requiring the consent of all parties to legally intercept certain communications.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code, regarding interception of communications. It would change the definition of "interception" that could give rise to a civil action, to mean contents of communication acquired without the consent of all parties, rather than a single party. The bill would amend the Penal Code regarding affirmative defenses to the offense of unlawful interception of a communication. The bill would require a person employed by a common carrier making interceptions, as described, to notify local police authorities within 48 hours after the interception. The Office of Court Administration indicates implementing bill provisions are not anticipated to have a significant fiscal implication for the court system.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, KJo, TB