

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 19, 2021

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB12 by Hughes (relating to complaint procedures and disclosure requirements for social media platforms and to the censorship of users' expressions by an interactive computer service.),
Committee Report 1st House, Substituted

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Business & Commerce Code to require a social media platform to publicly disclose certain information regarding its content management, data management, and business practices, and to publish an acceptable use policy and a quarterly transparency report, both containing certain information. The bill would also establish a process related to complaints regarding illegal content or activity or a decision made by the social media platform to remove content posted by a user. The committee substitute would authorize the attorney general to bring an action against a social media platform.

The bill would amend the Civil Practice and Remedies Code to prohibit interactive computer services from censoring users of the interactive computer service based on their expressed viewpoints or geographic location. The bill would allow a user who successfully asserts a claim for a violation of the chapter to declaratory relief and injunctive relief. The bill would also authorizes the attorney general to seek declaratory and injunctive relief for violations of the chapter.

Based on the analysis of the Office of Court Administration and the Office of the Attorney General, it is assumed that duties and responsibilities associated with implementing the bill could be accomplished utilizing available resources. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

Local Government Impact

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

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General

LBB Staff: JMc, SMat, MW, BH