

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 5, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1496 by Huffman (Relating to removal of certain intimate visual material by a search engine operator of an Internet website; imposing a civil penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill amend the Business & Commerce Code relating to removal of certain intimate visual material by a search engine operator of an internet website. The bill would provide that a search engine operator that has agreed to remove a person's intimate visual material as obtained, posted, or created as described by the bill from the internet website must monitor the website and use established methods to automatically remove any subsequent instance of the intimate visual material that has been reposted to the website.

The bill would indicate that any search engine operator that violates the provisions of the bill would be liable to this state for civil penalties not to exceed \$500 for each day the search engine operator violates the bill.

The bill would allow the Office of the Attorney General to bring action to enjoin a violation and to be entitled to recover reasonable expenses incurred in bringing an action related to the provisions in this bill.

According to the Office of the Attorney General and the Office of Court Administration, any additional work resulting from the provisions from the bill could be absorbed within current resources.

According to the Comptroller's Office of Public Accounts, the fiscal impact cannot be determined as the number of cases of noncompliance resulting in penalty revenue at the state or local levels is unknown.

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, 304 Comptroller of Public Accounts

LBB Staff: JMc, SMAT, LCO, HGR