

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 2, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB417 by Paxton (Relating to electronic device filters for certain explicit material; creating a criminal offense; providing a civil penalty.), **As Introduced**

The fiscal implications of the bill cannot be determined due to a lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to civil and criminal penalties.

The bill would require a manufacturer to automatically enable a filter for certain explicit material on an electronic device that is activated in this state and establishes requirements for the filter. The bill would make a violation of its provisions by a manufacturer or certain persons subject to a civil penalty. The bill would make it an offense for a person, other than a parent or legal guardian, to knowingly circumvent, modify, remove, or uninstall certain electronic device filters without permission from the parent or legal guardian which results in a minor user accessing explicit material on the device.

The Office of the Attorney General anticipates any legal work resulting from the passage of this bill could be reasonably absorbed with current resources. The Office of Court Administration and the Comptroller of Public Accounts indicate that the fiscal impact cannot be determined but would be dependent on the number of violations committed and the associated court costs and penalty revenue. The impact on state correctional populations or on the demand for state correctional resources cannot be determined due to a lack of data to estimate the prevalence of conduct outlined in the bill's provisions that would be subject to criminal penalties.

Local Government Impact

The fiscal impact to units of local government cannot be determined but would be dependent on the number of violations committed and the associated court costs and penalty revenue.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, SMAT, LBO, HGR