

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 17, 2025

TO: Honorable Ken King, Chair, House Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2892 by Hernandez (Relating to the prohibited release by a public agency of personal affiliation information regarding the members, supporters, or volunteers of or donors to certain nonprofit organizations; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would prohibit state agencies from collecting or releasing information about individuals' affiliations with nonprofit entities except when otherwise required by law or a court, unless released voluntarily by the individual.

The bill would create a new offense (Class B misdemeanor) for violations of the prohibitions and would allow a person to bring a civil action to obtain injunctive relief. Creating a new offense could result in increased court costs as a result of increased prosecutions. It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

The bill's revenue impact would be dependent on the number of civil cases filed, the associated filing fee revenue, and the number of cases that result in payments for civil damages. Therefore, the revenue impact of the bill cannot be determined.

According to the Health and Human Services Commission (HHSC), the provisions of the bill would not apply to Medicaid because the provisions conflict with state and/or federal Medicaid law. Any costs related to the modification of forms, policies, or procedures could be absorbed within existing resources. Therefore, it is assumed there is no significant fiscal impact to HHSC.

The Texas Workforce Commission (TWC) noted that the agency may need to assess how current practices align or conflict with the prohibitions in the bill. However, it is assumed that there would be no fiscal impact to TWC. It is assumed that any costs associated with the bill for other affected agencies could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 242 State Commission on Judicial Conduct, 304 Comptroller of Public Accounts, 320 Texas Workforce Commission, 352 Bond Review Board, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 529 Health and Human Services Commission, 582 Commission on Environmental Quality, 601 Department of Transportation

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