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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/07

SPONSOR HCPAC LAST UPDATED 3/15/07 HB CS/279/aSF1#1/aSF1#2

SHORT TITLE Utility Disclosure of Consumer Info SB \_\_\_\_\_

ANALYST Wilson

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$0.1			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Office of the Attorney General (OAG)

### SUMMARY

#### Synopsis of SF1 #2 Amendment

The Senate Floor amendment #2 to the House Consumer & Public Affairs Committee substitute for House Bill 279 adds a citation to the federal Fair Credit Reporting Act.

#### Synopsis of SF1 #1 Amendment

The Senate Floor amendment #1 to the House Consumer & Public Affairs Committee substitute for House Bill 279 removes a telecommunications company that obtains uses, discloses or permits access to any telephone record through its agents or contractors from the exemption to the provisions of this bill.

The amendment also adds a citation to the Public Utility Act:

#### Synopsis of Original Bill

The House Consumer & Public Affairs Committee substitute for House Bill 279 limits disclosure or the selling of nonpublic personal information by a public utility or its employees.

The following are exempted from the above requirements:

- the Public Regulation Commission pursuant to the Public Utility Act and Public Regulation Commission Act and rules pursuant to those acts;
- an action by a government agency or an officer, employee or agent of an agency acting on behalf of the agency to obtain telephone records in connection with the performance of the official duties of the agency;
- a telecommunications company that obtains, uses, discloses or permits access to any telephone record through its agents or contractors that is with the lawful consent of the customer, permitted by law, necessarily incident to rendition of services or to the protection of the rights or property of the provider or subscriber;
- in connection with the sale, purchase or transfer of all or part of a telecommunications company; or
- the migration of a customer from one carrier to another.

### **FISCAL IMPLICATIONS**

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

### **SIGNIFICANT ISSUES**

The provisions of this bill are intended to protect the consumers' privacy and prevent identity theft.

### **TECHNICAL ISSUES**

The OAG suggests that the legislature should consider adding a definition of "Nonpublic personal information".

DW/nt