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FISCAL IMPACT REPORT

ORIGINAL DATE 02/18/13

SPONSOR Woods LAST UPDATED _____ HB _____

SHORT TITLE Game and Fish License Confidential Info SB 344

ANALYST Weber

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Game and Fish (DGF)

SUMMARY

Synopsis of Bill

Senate Bill 344 (SB344) adds the following provision to 17-3-5 NMSA 1978, Game and Fish Licenses and Permits:

Notwithstanding any other provision in law, personal information provided by an applicant pursuant to Subsection A of this section shall remain confidential, and the department of game and fish shall not release the information.

FISCAL IMPLICATIONS

No fiscal implications identified.

SIGNIFICANT ISSUES

DGF reports that currently, the Department complies with the Inspection of Public Records Act (“IPRA”) and the Public Records Act (“PRA”) by copying and disclosing upon proper request its database of applicants and holders of licenses and permits. The Department requires requesters of these data to agree to the data use restrictions of the Public Records Act, including the prohibition against using the data for political or commercial purposes or for solicitation or

advertisement. Nonetheless, the Department commonly receives complaints from licensees that the Department's disclosure of their personal information has resulted in their being targeted for these prohibited purposes. Additionally, many have expressed safety concerns relating to the disclosure of their personal information to potential criminals.

POSSIBLE QUESTIONS

With or without the changes proposed in SB 344. is this ultimately a question the courts must decide?

Should a definition of "personal information" be provided?

MW/blm