



FISCAL NOTE

Senate Bill 213

Committee: Fiscal Responsibility and Economic Development Sponsor: Senator Arthur Orr

Analyst: Jennifer Farish

Date: 03/19/2024

Senate Bill 213 as introduced would require data brokers to register with the Office of the Secretary of State and pay the \$300 annual registration fee required pursuant to the provisions of this bill for the privilege of doing business in the state. In addition, this bill would increase the obligations of the Office by an undetermined amount to establish and maintain on its website a data broker registry, which would presumably be offset wholly or partly by the annual data broker registration fees and any civil penalties imposed on data brokers, ranging from \$100 per day in violation, but not to exceed \$10,000 during a 12 month period, for violating the notification and registration requirements of this bill. This bill requires all penalties to be deposited into the newly created Consumer Privacy Protection Fund created within the State Treasury and used by the Office to implement and administer the provisions of this bill.

In addition, this bill further provides that a violation of personal data protection provisions of this bill is a violation of the Deceptive Trade Practices Act, which could increase, by an undetermined amount, penalties (ranging from \$2,000 per violation up to \$25,000 per violation), credited to the Office of the Attorney General or the Office of the District Attorney, whichever initiated the action or petition resulting in the imposition of the penalties. The provisions of this bill could increase receipts to the State General Fund and municipal general funds from fines; increase receipts to the State General Fund, county general funds, municipal general funds, and other funds to which court costs are deposited; and could increase the obligations of the State General Fund, district attorneys, and local jails by an undetermined amount dependent upon the number of persons charged with and convicted of the offenses provided by this bill and the penalties imposed.