

**FISCAL NOTE**  
**Requested by Legislative Council**  
**02/08/2019**

Bill/Resolution No.: HB 1485

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

|                       | 2017-2019 Biennium |             | 2019-2021 Biennium |             | 2021-2023 Biennium |             |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                       | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| <b>Revenues</b>       |                    |             |                    |             |                    |             |
| <b>Expenditures</b>   |                    |             | \$708,829          |             | \$752,833          |             |
| <b>Appropriations</b> |                    |             | \$708,829          |             | \$752,833          |             |

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

|                         | 2017-2019 Biennium | 2019-2021 Biennium | 2021-2023 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| <b>Counties</b>         |                    |                    |                    |
| <b>Cities</b>           |                    |                    |                    |
| <b>School Districts</b> |                    |                    |                    |
| <b>Townships</b>        |                    |                    |                    |

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides consumers numerous significant rights regarding information collected or maintained by data brokers, etc. The Attorney General will be solely responsible for enforcement of the consumer rights.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The Attorney General will be solely responsible for enforcement of the consumer rights or other violations of the chapter and will need to review complaints, conduct investigations, and initiate legal action. The Attorney General will require one attorney and one paralegal to perform these additional duties. In addition, there will be significant investigation and litigation costs, including travel costs, deposition costs, expert consultants, and witness fees.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The Office of Attorney General is charged with handling investigations or legal actions regarding enforcement which will likely would be complicated and time-consuming, requiring an additional attorney and paralegal, including using existing Consumer Protection investigators. The enforcement also could be very technical requiring outside consultants or experts with subject area expertise. This legislation will result in consumer complaints and, in some instances, an investigation or legal action involving a data broker or other entity could result in significant expenses for travel, depositions, etc. It appears one attorney and one paralegal position are needed to handle this work. The 2019-21 biennium estimate is \$390,939 in salaries and \$317,890 in operating. The costs of expert witness fees and depositions is estimated to be \$200,000 (included in the operating expenses estimate). The 2021-23 biennium estimate is \$414,395 in salaries and \$338,438 in operating expenses.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The Office of Attorney General is charged with handling investigations or legal actions regarding enforcement which will likely would be complicated and time-consuming, requiring an additional attorney and paralegal, including using existing Consumer Protection investigators. The enforcement also could be very technical requiring outside consultants or experts with subject area expertise. This legislation will result in consumer complaints and, in some instances, an investigation or legal action involving a data broker or other entity could result in significant expenses for travel, depositions, etc. One attorney and one paralegal position is projected to be needed to handle this work. The 2019-21 biennium estimate is \$390,939 in salaries and \$317,890 in operating. The costs of expert witness fees and depositions is estimated to be \$200,000 (included in the operating expenses estimate). The 2021-23 biennium estimate is \$414,395 in salaries and \$338,438 in operating expenses.

The Executive Recommendation did not anticipate this bill.

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