

Fiscal Estimate - 2017 Session

Original Updated Corrected Supplemental

LRB Number 17-3273/1	Introduction Number SB-233	
Description privacy and security of customer information obtained by a broadband Internet access service provider and providing a criminal penalty		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local:		
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected	Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives

DA 6/14/2017

LRB Number	17-3273/1	Introduction Number	SB-233	Estimate Type	Original
Description privacy and security of customer information obtained by a broadband Internet access service provider and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill generally prohibits a broadband Internet access service provider ("provider") from using, disclosing, or permitting access to a customer's proprietary information unless the customer grants approval to the provider to use, disclose, or permit access to that information. With certain exception, the bill requires different types of approval for sensitive and non-sensitive customer proprietary information. Under the bill providers must take reasonable security measures to protect customer proprietary information from unauthorized use, disclosure, or access and notify its customers (within certain parameters) if a breach has occurred. A broadband Internet access service provider that intentionally violates the bill is subject to a criminal fine of up to \$1,000, or up to three months in jail, or both. Alternatively, a provider that violates the bill is subject to a civil forfeiture of up to \$50,000 for the first violation, and up to \$100,000 for each subsequent violation. Additionally, under the bill, any person or class of persons that is adversely affected by a violation by a broadband Internet access service provider can sue the provider for appropriate relief. The bill authorizes 1) DATCP; 2) DOJ, after consulting with DATCP; or 3) any district attorney, upon informing DATCP, to bring an action to restrain by temporary or permanent injunction any violation of the bill.

Prosecutors provided mixed reaction to the bill. One district attorney estimated that, at a minimum, this bill would increase staff needed in that rural county by 0.2 FTE positions. Another prosecutor indicated that due to workload considerations his office would not be able to enforce this legislation.

As a result, the fiscal impact of this legislation is indeterminate.

Long-Range Fiscal Implications

The long-range fiscal implications of this legislation on district attorney offices are indeterminate.