

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>17-3246/1</b>	<b>Introduction Number</b> <b>AB-0788</b>
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**Description**  
 privacy and security of customer information obtained by a broadband Internet access service provider and providing a penalty

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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**Local:**

No Local Government Costs  
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
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## Fiscal Estimate Narratives

DA 1/3/2018

LRB Number	17-3246/1	Introduction Number	AB-0788	Estimate Type	Original
<b>Description</b> privacy and security of customer information obtained by a broadband Internet access service provider and providing a 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.