

BILL SUMMARY
1st Session of the 60th Legislature

| | |
|------------------------|----------------------------|
| Bill No.: | SB546 |
| Version: | ENGR |
| Request Number: | |
| Author: | Rep. West (Josh) |
| Date: | 4/17/2025 |
| Impact: | OAG FY27: \$300,000 |

Research Analysis

The engrossed version of SB 546 creates a framework for consumer data privacy. The measure enables consumers to access, correct, delete, and obtain copies of their personal data, as well as opt out of targeted advertising, data sales, and certain types of profiling. Companies must provide clear privacy notices, honor consumer requests, and avoid discriminatory practices against consumers exercising these rights. The measure also requires companies to conduct data protection assessments for high-risk data processing and establish contracts with third parties handling personal information.

The measure applies to businesses operating in the state and handling data for at least 100,000 consumers or at least 25,000 consumers while earning over half of their revenue from selling personal data. Violations are enforced by the Attorney General and may incur a fine of up to \$7,500 per violation.

Prepared By: Autumn Mathews

Fiscal Analysis

The Engrossed version of SB546 sets forth exclusive authority for the Office of the Attorney General (OAG) to enforce new law regarding consumer privacy. Officials with the OAG have provided the following information:

SB546 requires the Attorney General to notify any controller he or she suspects is violating the provisions of this measure of any violations at least 30 days prior to bringing any action. The Office of the Attorney General estimates a need for one additional attorney and one additional support staff FTE to implement and enforce the provisions of this measure at a total cost of \$300,000 for the salary and benefits of these new personnel. Based on the measure's effective date of July 1, 2026, this cost would begin in FY27.

Therefore, in its current form, the OAG anticipates an annual cost of \$300,000 for personnel to administer the provisions of the measure beginning in FY27. The agency would seek additional funding to defray these costs.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.

