

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1075 - HB 1171

March 12, 2013

SUMMARY OF BILL: Renames the *Tennessee Identity Theft Deterrence Act of 1999* the *Tennessee Identification and Personal Information Protection Act of 2013*. Prohibits any person from disclosing another person's financial documents, identification documents, or personal identification numbers for money or anything else of value, including commercial advantage. Authorizes such disclosure in certain situations, if provided to: a consumer reporting agency for purposes of a consumer report; persons affiliated with the issuer of a financial transaction card by common ownership or control solely for the purpose of performing a function for or on behalf of an issuer; contractors or agents of the issuer of a financial transaction card if the issuer is a retailer and disclosure is made for the purposes of performing functions for or on behalf of the issuer. Creates a civil penalty to transfer another person's identification information, punishable by the greater of \$10,000, \$5,000 dollars per day since such person's information has been transferred, or 10 times the amount of compensation paid for the transfer of personal identification. Creates a ground on which the Department of Commerce's Division of Consumer Affairs would receive, investigate, and mediate consumer complaints as well as make referrals to the Office of the Attorney General and Reporter for enforcement action.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the Department of Commerce and Insurance, Division of Consumer Affairs, the Division can handle any additional investigative or mediation duties within existing resources.
- The Office of the Attorney General and Reporter can handle any increase in enforcement action within existing resources.
- There will not be a significant number of civil penalties assessed. Any fiscal impact is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb