

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 340** HLS 14RS 100

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 8, 2014	6:35 PM	<b>Author:</b> JAMES
<b>Dept./Agy.:</b>		<b>Analyst:</b> Charley Rome
<b>Subject:</b> Creates the Personal Online Account Privacy Protection Act		

PRIVACY/COMPUTERS

RE NO IMPACT GF EX See Note

Page 1 of 2

Creates the Personal Online Account Privacy Protection Act

The proposed legislation creates the Personal Online Account Privacy Protection Act which protects an employee or an applicant for employment from an employer's request for access to an employee's or applicant's personal online account. The bill defines "personal online account" as an online account used primarily or exclusively for personal communications. The proposed legislation also prohibits an employer from discharging, disciplining, failing to hire, or otherwise penalize or threaten to penalize an employee or applicant for failure to grant access to the employee's or applicant's personal online account. However, the bill states that an employer is not prohibited or restricted from requiring an employee to provide a personal e-mail address to facilitate communication with the employee, in the event the employer's e-mail system fails. The bill also prohibits public and private educational institutions from requesting or requiring a student or prospective student to disclose information allowing access to the student's or prospective student's personal online account.

**(Bill Summary Continued on Page Two)**

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The bill protects employees or applicants for employment from potential employers' or employers' access to their personal online accounts. State agencies should not incur additional costs by being denied access to job applicants'/employees' personal online accounts. The bill also protects students or prospective students from an educational institutions' access to their personal online accounts. State educational institutions should not incur additional costs by being denied access to students' or prospective students' personal online accounts.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

- |   |                            |              |  |
|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}                  |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} |                            |              | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

*Evan Brasseaux*

**Evan Brasseaux**  
**Staff Director**

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**CONTINUED EXPLANATION from page one:**  
**(Bill Summary Continued from Page One)**

Page 2 of 2

The bill also prohibits expelling, disciplining, failing to admit, or otherwise penalizing or threatening to penalize a student or prospective student for failure to disclose such information. These protections do not apply to electronic devices/accounts/services paid for or provided by employers or educational institutions excluding devices given to students.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*

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**Staff Director**