

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 3, 2011**

**TO:** Honorable Mike Hamilton, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB3125** by Thompson (Relating to the offenses of unauthorized duplication, unauthorized recording, unauthorized operation of recording device, and improper labeling of recordings.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Business and Commerce Code as it relates to the offenses of unauthorized duplication, unauthorized recording, unauthorized operation of recording device, and improper labeling of recordings. Under the provisions of the bill, a person who records a live performance as defined by the bill without the consent of the owner would be punishable based on the number of unauthorized recordings during a 180-day period or a previous conviction. Under current statute, unauthorized recording of a live performance is punishable by confinement in county jail, imprisonment, fine or both confinement/imprisonment and fine.

The bill would take effect on September 1, 2011 and apply only to an offense committed on or after that date.

For this analysis, it is assumed the number of offenders convicted under this statute would not result in a significant impact on the programs and workload of State corrections agencies or on the demand for resources and services of those agencies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 696 Department of Criminal Justice

**LBB Staff:** JOB, LM, AG, GG