

# SUMMARY ANALYSIS OF AMENDED BILL

## Franchise Tax Board

Author: Leslie Analyst: Roger Lackey Bill Number: SB 1386

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 07-30-98

Attorney: Doug Bramhall

Sponsor:

**SUBJECT:** State Agencies/Information Gathering On Websites/Disclosure Requirements

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended \_\_\_\_\_.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended \_\_\_\_\_.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO \_\_\_\_\_.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED July 30, 1998, STILL APPLIES.

OTHER - See comments below.

### SUMMARY OF BILL

This bill would require that every state agency that maintains or operates an Internet website that uses any method or device to collect personal information, as defined, to prominently display the existence and purpose of such a device on an initial point of communication with the potential user.

This bill also makes changes regarding public libraries, which will not be addressed by this report as they do not impact the Franchise Tax Board.

### SUMMARY OF AMENDMENT

The July 30, 1998, amendment would make the provisions of the bill inoperative on July 1, 2004, rather than July 1, 2000, and repealed as of January 1, 2005, unless a later enacted statute extends the operative date.

The prior July 27, 1998, amendment provided that a state agency would be required to retain the source or sources or any intermediate form of the information, if either are created or possessed by the agency. In addition, the amendment provided that a state or local agency could not post the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual.

Except for the discussion above, the department's analysis of SB 1386 as amended July 6, 1998, still applies.

### Board Position:

S                      \_\_\_\_\_ NA                      \_\_\_\_\_ NP  
\_\_\_\_\_ SA                      \_\_\_\_\_ O                      \_\_\_\_\_ NAR  
\_\_\_\_\_ N                      \_\_\_\_\_ OUA                      \_\_\_\_\_ PENDING

Department/Legislative Director

Date

Johnnie Lou Rosas

8/14/98