

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 1/15/2025 3:14 PM

ORIGINAL

Bill Number: HB2043

Patron: Anthony

Bill Title: Consumer Data Protection Act; user-generated content protected; civil penalty.

Bill Summary: Requires controllers and processors to provide consumers with a privacy notice that applies to the consumers' user-generated content, defined in the bill, under the Consumer Data Protection Act and requires that any secondary use, defined in the bill, of personal data or user-generated content be consented to by the consumer. The bill requires a controller or processor, upon request by a consumer, to provide such consumer with a report that describes how the consumer's personal data or user-generated content was processed over the prior 12 months. The bill increases from \$7,500 to \$15,000 the maximum civil penalties for violations and allows civil penalties of up to \$22,500 per violation for repeated noncompliance or egregious violations. The bill also allows a consumer who suffers a loss due to a violation to bring a private right of action against a controller or processor.

Budget Amendment Necessary: No.

Items Impacted: N/A

Explanation: This legislation does not generate a fiscal impact.

Fiscal Summary: The Office of the Attorney General and Department of Law indicates this bill presents no fiscal impact to the agency. The bill increases the maximum amount for civil penalties assessed for violations of this chapter. This action may result in additional revenue for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund, however, any such amount is currently indeterminate.

Fiscal Analysis: See Fiscal Summary.

Other: None.