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FISCAL IMPACT REPORT

SPONSOR	Martinez	DATE TYPED	2/23/05 HB	
SHORT TITI	LE Amber Alert Broadca	ast Civil Liability	SB	726
			ANALYST	Ford

APPROPRIATION

Appropriation Contained		Estimated Add	ditional Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From Attorney General (AGO)

SUMMARY

Synopsis of Bill

Senate Bill 726 provides immunity to radio or television broadcast organizations from civil damages of any kind connected with the notification and broadcast of information provided by law enforcement agencies pursuant to the AMBER Alert Law.

Significant Issues

The AGO notes that the AMBER Alert Law applies to print, radio, television or other media but this bill provides immunity only to radio and television.

The AGO also notes that this bill provides broad immunity without creating an obligation of good faith. The AGO further notes that the bill does not prohibit a lawsuit for negligent or reckless conduct, such as slander. Presumably, the courts will decide in which cases immunity applies.

FISCAL IMPLICATIONS

The bill does not create any requirements for any state agency and thus, there is no fiscal impact.

Senate Bill 726 -- Page 2

POSSIBLE QUESTIONS

Should the bill extend to other media outlets in addition to television and radio?

Should the bill impose a standard of good faith and without reckless or negligent disregard for the truth before immunity applies?

EF/yr