

1-1 By: Lambert, et al. (Senate Sponsor - Menéndez) H.B. No. 3510  
 1-2 (In the Senate - Received from the House May 3, 2021;  
 1-3 May 10, 2021, read first time and referred to Committee on Business  
 1-4 & Commerce; May 20, 2021, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to work from remote locations by certain employees of  
 1-20 certain entities licensed by the Office of Consumer Credit  
 1-21 Commissioner.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter F, Chapter 341, Finance Code, is  
 1-24 amended by adding Section 341.503 to read as follows:

1-25 Sec. 341.503. WORK FROM REMOTE LOCATIONS. (a)  
 1-26 Notwithstanding provisions of this subtitle that prohibit  
 1-27 conducting business at an unlicensed location and except as  
 1-28 provided by Subsection (b), a person licensed under this subtitle  
 1-29 may allow an employee of the license holder to work from a remote  
 1-30 location if the license holder:

1-31 (1) ensures that in-person consumer interactions will  
 1-32 be conducted at a licensed location;

1-33 (2) maintains appropriate safeguards for license  
 1-34 holder and consumer data, information, and records, including the  
 1-35 use of secure virtual private networks where appropriate;

1-36 (3) employs appropriate risk-based monitoring and  
 1-37 oversight processes for work performed from a remote location and  
 1-38 maintains records of those processes;

1-39 (4) ensures that consumer information and records are  
 1-40 not maintained at a remote location;

1-41 (5) ensures that license holder and consumer  
 1-42 information and records, including written procedures and training  
 1-43 for work from remote locations authorized under this section, are  
 1-44 accessible and available to the commissioner or the commissioner's  
 1-45 representative on request;

1-46 (6) provides appropriate employee training to:

1-47 (A) keep all conversations about and with  
 1-48 consumers conducted from a remote location confidential as if  
 1-49 conducted from a licensed location; and

1-50 (B) ensure that remote employees work in an  
 1-51 environment conducive and appropriate to consumer privacy; and

1-52 (7) adopts, maintains, and follows written procedures  
 1-53 to ensure that:

1-54 (A) the license holder and the license holder's  
 1-55 employees comply with this section and applicable law; and

1-56 (B) the employees do not perform an activity that  
 1-57 would be prohibited at a licensed location.

1-58 (b) This section applies to an employee of a person licensed  
 1-59 under Chapter 348 or 353 only if the employee engages in making,  
 1-60 servicing, holding, or collecting a retail installment transaction  
 1-61 as defined by Section 348.001 or 353.001, as applicable.

2-1 (c) The finance commission may adopt rules to implement this  
2-2 section.  
2-3 SECTION 2. This Act takes effect September 1, 2021.

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