

By: Nelson, et al.

S.B. No. 16

A BILL TO BE ENTITLED

AN ACT

relating to prohibitions on the dissemination by a state agency of an individual's personal data.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2062 to read as follows:

CHAPTER 2062. PROHIBITIONS ON DISSEMINATION BY STATE AGENCY OF CERTAIN PERSONAL DATA

Sec. 2062.001. DEFINITIONS. In this chapter:

(1) "Individual" means a natural person.

(2) "Personal data" means any information relating to an identified or identifiable individual that directly or indirectly identifies the individual by reference to:

(A) an identifier for the individual, including a name, an identification number, location information, or an online identifier; or

(B) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of the individual.

(3) "State agency" means a department, commission, board, office, council, authority, or other agency in the executive, legislative, or judicial branch of state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, that is created by the

1 constitution or a statute of this state.

2 Sec. 2062.002. PROHIBITED DISSEMINATION. (a) A state  
3 agency may not disseminate to any person any personal data of an  
4 individual without the individual's written consent.

5 (b) A state agency shall retain the written consent of an  
6 individual obtained as required under Subsection (a) in the  
7 agency's records until the agreement under which the personal data  
8 is disseminated expires or is otherwise terminated.

9 (c) A state agency may not require an individual to consent  
10 to dissemination of the individual's personal data in exchange for  
11 access to the services provided by the agency or to the agency's  
12 Internet website.

13 SECTION 2. Chapter 2062, Government Code, as added by this  
14 Act, applies only to information disseminated by a state agency to  
15 another person on or after the effective date of this Act.

16 SECTION 3. This Act takes effect September 1, 2021.