

By: Frazier

H.B. No. 3197

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to definition change for certain customer data,  
3 communications, and other information held in electronic storage in  
4 this state and other states by providers of electronic  
5 communications services and remote computing services.

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

7 SECTION 1. Article 18B, Code of Criminal Procedure, is  
8 amended to read as follows:

9 Art. 18.001. DEFINITIONS.

10 (7) "Electronic customer data" means data or records  
11 that:

12 (A) are in the possession, care, custody, or  
13 control of a provider of an electronic communications service or  
14 provider of a remote computing service; and

15 (B) contain:

16 (i) information revealing the identity of  
17 customers of the applicable service;

18 (ii) information about a customer's use of  
19 the applicable service, including the telephone number assigned to  
20 the customer's device and any recipients' telephone numbers for  
21 communications originated by that device;

22 (iii) information, other than a telephone  
23 number, that identifies the recipient or destination of a wire or  
24 electronic communication sent to or by a customer;

1                   (iv) the content of a wire or electronic  
2 communication sent to or by a customer;

3                   (v) any data stored with the applicable  
4 service provider by or on behalf of a customer; or

5                   (vi) location information.

6           SECTION 2. This Act takes effect September 1, 2023.