

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.