

By: Reynolds

H.B. No. 5046

A BILL TO BE ENTITLED

AN ACT

relating to the collection, use, processing, and treatment of consumers' personal data by certain business entities.

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

SECTION 1. Section 541.103, Business & Commerce Code, is amended to read as follows:

Sec. 541.103. SALE OF DATA TO THIRD PARTIES AND PROCESSING DATA FOR TARGETED ADVERTISING; DISCLOSURE; PAYMENTS TO CONSUMER.

(a) If a controller sells personal data to third parties or processes personal data for targeted advertising, the controller shall clearly and conspicuously disclose that process and the manner in which a consumer may exercise the right to opt out of that process.

(b) If a controller sells a consumer's personal data to a third party, the controller shall pay to the consumer 10 percent of the gross proceeds of the sale not later than the 60th day after the date the sale is completed.

SECTION 2. This Act takes effect September 1, 2025.