Amend **CSSB 405** as follows:

(1) In SECTION 1.01 of the bill, in proposed Section 20.051(a)(1), Business & Commerce Code (committee printing page 1, line 25), between "name" and the semicolon, insert ", including a preferred name".

(2) In SECTION 1.01 of the bill, in proposed Section 20.051(a)(6), Business & Commerce Code (committee printing page 1, line 31), strike "mother's maiden name; and" and substitute "credit card account number;".

(3) In SECTION 1.01 of the bill, in proposed Section 20.051(a)(7), Business & Commerce Code (committee printing page 1, line 32), strike the period and substitute a semicolon.

(4) In SECTION 1.01 of the bill, at the end of proposed Section 20.051(a), Business & Commerce Code (committee printing page 1, between lines 32 and 33), insert the following:

(8) former address;

(9) mobile phone carrier; and

(10) recent credit activity.

(5) In SECTION 1.01 of the bill, in proposed Section 20.051(c), Business & Commerce Code (committee printing page 1, line 39), between "consumer" and the period, insert "or makes attempts to verify the change with the consumer and documents in writing those attempts".

(6) In SECTION 1.02(a) of the bill strike proposed Section 48.003, Business & Commerce Code (committee printing page 2, lines 10-21).

(7) In SECTION 1.02(a) of the bill, in proposed Section 48.101(b), Business & Commerce Code (committee printing page 2, line 30), strike "A person who" and substitute "An individual who outside the course and scope of a legitimate business".

(8) In SECTION 1.02(a) of the bill, in proposed Section 48.101(b), Business & Commerce Code (committee printing page 2, line 31), strike "six" and substitute "three".

(9) In SECTION 1.02(a) of the bill, strike proposed Section 48.102, Business & Commerce Code (committee printing page 2, lines 35-39), and renumber the subsequent proposed sections of Subchapter B, Chapter 48, Business & Commerce Code, appropriately.

(10) In SECTION 1.02(a) of the bill, at the end of proposed Section 48.103, Business & Commerce Code (committee printing page 2, between lines 47 and 48), insert the following:

(c) This section does not apply to a financial institution as defined by 15 U.S.C. Section 6809(3), as amended.

(11) In SECTION 1.02(a) of the bill, strike proposed Section 48.104, Business & Commerce Code (committee printing page 2, lines 48-53), and renumber the subsequent proposed sections of Subchapter B, Chapter 48, Business & Commerce Code, appropriately.

(12) In SECTION 1.02(a) of the bill, in proposed Section 48.105(b)(3), Business & Commerce Code (committee printing page 3, line 9), strike "whom" and substitute "which".

(13) In SECTION 1.02(a) of the bill, in proposed Section 48.107(b), Business & Commerce Code (committee printing page 3, line 31), strike "or other document".

(14) In SECTION 1.02(a) of the bill, in proposed Section 48.107(b), Business & Commerce Code (committee printing page 3, lines 31-32), between "transaction" and "if", insert "at the point of sale".

(15) In SECTION 1.02(a) of the bill, in proposed Section 48.108(b), Business & Commerce Code (committee printing page 3, line 68), strike "or defraud another" and substitute "the authorized user".

(16) In SECTION 1.02(a) of the bill, in proposed Section 48.201(a), Business & Commerce Code (committee printing page 4, line 3), strike "48.107" and substitute "48.105".

(17) In SECTION 1.02(a) of the bill, in proposed Section 48.201(e), Business & Commerce Code (committee printing page 4, line 30), after the period, strike "Amounts" and substitute "Penalties".

(18) In SECTION 1.02(a) of the bill, strike proposed Section 48.202, Business & Commerce Code (committee printing page 4, lines 34-51), and renumber subsequent proposed sections of Subchapter C, Chapter 48, Business & Commerce Code, appropriately.

(19) In SECTION 1.02(a) of the bill, in proposed Section 48.203(a), Business & Commerce Code (committee printing page 4, line 54), strike "or 48.104".

(20) In SECTION 1.02(a) of the bill, in proposed Section 48.203(c), Business & Commerce Code (committee printing page 5, line 1), strike "or 48.104".

(21) In SECTION 1.02(a) of the bill, in proposed Section 48.203(c)(1), Business & Commerce Code (committee printing page 5, line 6), strike "or 48.104".

(22) In SECTION 1.02(a) of the bill, in proposed Section 48.204, Business & Commerce Code (committee printing page 5, line 54), strike "or 48.104".

(23) In SECTION 1.02(a) of the bill, in proposed Section 48.205, Business & Commerce Code (committee printing page 5, line 57), strike "48.108 is a Class B misdemeanor" and substitute "48.106 is a state jail felony".

(24) In SECTION 1.02(a) of the bill, at the end of proposed Chapter 48, Business & Commerce Code (committee printing page 5, between lines 57 and 58), insert the following:

Sec. 48.206. AFFIRMATIVE DEFENSE. Good faith reliance on a consumer report as defined by Section 20.01 by a financial institution as defined by 31 U.S.C. Section 5312, as amended, is an affirmative defense to an action brought against the financial institution under this chapter.

(25) In SECTION 1.02(c) of the bill, in Article 59.01(2), Code of Criminal Procedure (committee printing page 7, lines 50-51), strike "Class B misdemeanor under Section 48.108, Business & Commerce Code" and substitute "state jail felony under Section 48.106, Business & Commerce Code".

(26) In SECTION 1.02(c) of the bill, in Article 59.01(2), Code of Criminal Procedure (committee printing page 7, lines 53-54), strike ", a misdemeanor listed in Paragraph (B)(vii) of this subdivision,".

(27) In SECTION 1.02(c) of the bill, in Article 59.01(2), Code of Criminal Procedure (committee printing page 7, lines 58-59), strike ", a misdemeanor listed in Paragraph (B)(vii) of this subdivision,".

(28) In SECTION 2.02(a) of the bill, in proposed Article 13.28, Code of Criminal Procedure (committee printing page 8, line 36), strike "offense was committed" and substitute "identifying

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information was obtained, possessed, transferred, or used".

(29) In SECTION 2.02(a) of the bill, in proposed Article 13.28, Code of Criminal Procedure (committee printing page 8, line 37), strike "for" and substitute "of".

(30) In SECTION 2.06(b) of the bill, in Section 32.51(f), Penal Code (committee printing page 9, line 62), strike "the actor" and substitute "an individual, outside the course and scope of a legitimate business,".

(31) In SECTION 2.06(b) of the bill, in Section 32.51(g), Penal Code (committee printing page 9, line 66), strike "exception to the application of" and substitute "affirmative defense to the prosecution of an offense under".

(32) In SECTION 3.01 of the bill, in proposed Section 561.003(2), Government Code (committee printing page 10, line 35), between "law" and the period, insert ", including the administration of a program provided by statute".

(33) In SECTION 3.01 of the bill, in proposed Section 561.051(b)(2), Government Code (committee printing page 10, line 55), strike "due to" and insert "because of".

(34) In SECTION 3.01 of the bill, in proposed Section 561.054(c)(1), Government Code (committee printing page 11, lines 68-69), between "site" and "maintained", insert ", if any,".

(35) In SECTION 3.01 of the bill, in proposed Section 561.055(a), Government Code (committee printing page 12, line 6), strike "or local".

(36) In SECTION 3.01 of the bill, in proposed Section 561.055(a)(1), Government Code (committee printing page 12, line 10), strike "or local".

(37) In SECTION 3.01 of the bill, in proposed Section 561.055(a)(2), Government Code (committee printing page 12, line 13), strike "or local".

(38) In SECTION 3.01 of the bill, in proposed Section 561.055(c), Government Code (committee printing page 12, line 20), strike "or local".

(39) In SECTION 3.01 of the bill, strike proposed Section 561.056, Government Code (committee printing page 12, lines 30-42), and substitute the following:

Sec. 561.056. GOVERNMENTAL ENTITY; PRIVACY POLICY. (a) Each state and local governmental entity shall establish a policy binding on the entity, its contractors, and subcontractors to protect the privacy of personal information and establish an information management system that protects the privacy and security of information in accordance with applicable state and federal law.

(b) During an audit otherwise authorized by law of a state or local governmental entity, the state auditor may audit the entity for compliance with a privacy policy adopted by the entity.

(c) Each state or local governmental entity must be prepared to demonstrate during an audit that personal information that the entity collects is necessary to accomplish a legitimate governmental purpose.

(40) In SECTION 4.01 of the bill, in Section 521.126(b)(1), Transportation Code (committee printing page 13, line 27), strike "accesses" and substitute "obtains".

(41) In SECTION 4.01 of the bill, in Section 521.126(e)(1), Transportation Code (committee printing page 13, line 43), strike "accesses" and substitute "obtains".