

By: Pitts

H.B. No. 2068

A BILL TO BE ENTITLED

AN ACT

1
2 relating to access by a financial institution to certain personal
3 information maintained by a transportation agency; providing a
4 criminal penalty.

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

6 SECTION 1. Subtitle Z, Title 3, Finance Code, is amended by
7 adding Chapter 278 to read as follows:

8 CHAPTER 278. FINANCIAL INSTITUTION ACCESS TO PERSONAL INFORMATION

9 Sec. 278.001. DEFINITIONS. In this chapter:

10 (1) "Agency" has the meaning assigned by Section
11 730.003, Transportation Code.

12 (2) "Financial institution" means a state or national
13 bank, state or federal savings and loan association, state or
14 federal savings bank, or state or federal credit union doing
15 business in this state.

16 Sec. 278.002. USE OF CERTAIN ELECTRONICALLY AVAILABLE
17 INFORMATION FROM TRANSPORTATION AGENCY RECORDS. (a) A financial
18 institution, solely for the purpose of identifying an individual
19 presenting a check for payment, may access:

20 (1) electronically readable information on a driver's
21 license, commercial driver's license, or personal identification
22 certificate issued to the individual by the Department of Public
23 Safety; or

24 (2) an image of the individual's face, thumb, or finger

1 maintained in electronic format by an agency.

2 (b) On request of a financial institution in relation to a
3 specific individual, an agency shall provide to the financial
4 institution an image of the individual's face, thumb, or finger, if
5 the agency possesses the image.

6 Sec. 278.003. DISCLOSURE OF INFORMATION. (a) A financial
7 institution or an officer or employee of a financial institution
8 commits an offense if the financial institution, officer, or
9 employee discloses information obtained under this section, other
10 than to another officer or employee of the financial institution.

11 (b) An offense under this section is a Class A misdemeanor.

12 SECTION 2. This Act takes effect September 1, 2003.