

By: West

H.B. No. 3095

Substitute the following for H.B. No. 3095:

By: Deshotel

C.S.H.B. No. 3095

A BILL TO BE ENTITLED

AN ACT

1
2 relating to use of electronically readable information from a
3 driver's license or personal identification certificate by certain
4 entities.

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

6 SECTION 1. Section 521.126, Transportation Code, is amended
7 by amending Subsection (e) and adding Subsection (e-1) to read as
8 follows:

9 (e) The prohibition provided by Subsection (b)(1) does not
10 apply to a financial institution or a business if the information is
11 accessed and used only for purposes of identification verification
12 of an individual or check verification at the point of sale for a
13 purchase of a good or service by check. The prohibition provided by
14 Subsection (b)(2) does not apply to a financial institution if each
15 license or certificate holder whose information is included in the
16 compilation or database consents to the inclusion of the person's
17 information in the compilation or database. Consent under this
18 subsection must be on a separate document, signed by the license or
19 certificate holder, that explains in at least 14-point bold type
20 the information that will be included in the compilation or
21 database. For the purposes of this subsection, "financial
22 institution" has the meaning assigned by 31 U.S.C. Section
23 5312(a)(2), as amended.

24 (e-1) The prohibition provided by Subsection (b)(1) does

1 not apply to security personnel or peace officers employed by a
2 public school district if:

3 (1) the holder of the driver's license or personal
4 identification certificate is an adult visitor to a campus of the
5 school district; and

6 (2) the information is accessed and used only for
7 purposes of determining whether the license or certificate holder
8 is included on a national database of sex offenders.

9 SECTION 2. This Act takes effect September 1, 2005.