

By: West

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 a
4 commercial business.

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

6 SECTION 1. Section 521.126(e), Transportation Code, is
7 amended to read as follows:

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

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