

By: Carona

S.B. No. 1590

Substitute the following for S.B. No. 1590:

By: Hill

C.S.S.B. No. 1590

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 a public school district if:

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

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

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