

1-1 By: Carona S.B. No. 1590
1-2 (In the Senate - Filed March 11, 2005; March 22, 2005, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 18, 2005, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to use of electronically readable information from a
1-9 driver's license or personal identification certificate by a
1-10 commercial business.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (e), Section 521.126, Transportation
1-13 Code, is amended to read as follows:

1-14 (e) The prohibition provided by Subsection (b)(1) does not
1-15 apply to a financial institution or a business if the information is
1-16 accessed and used only for purposes of identification verification
1-17 of an individual or check verification at the point of sale for a
1-18 purchase of a good or service by check. The prohibition provided by
1-19 Subsection (b)(2) does not apply to a financial institution if each
1-20 license or certificate holder whose information is included in the
1-21 compilation or database consents to the inclusion of the person's
1-22 information in the compilation or database. Consent under this
1-23 subsection must be on a separate document, signed by the license or
1-24 certificate holder, that explains in at least 14-point bold type
1-25 the information that will be included in the compilation or
1-26 database. For the purposes of this subsection, "financial
1-27 institution" has the meaning assigned by 31 U.S.C. Section
1-28 5312(a)(2), as amended.

1-29 SECTION 2. This Act takes effect September 1, 2005.

1-30 * * * * *