

Amend CSSB 1252 by striking SECTIONS 5 and 6 of the bill (Senate committee printing, page 2, line 58, through page 3, line 8) and substituting the following:

SECTION 5. Section 521.126, Transportation Code, is amended by amending Subsection (b) and adding Subsections (b-1), (b-2), and (b-3) to read as follows:

(b) Except as provided by Subsections (d), (e), and (g), a person commits an offense if the person:

(1) accesses or uses electronically readable information derived from a driver's license, commercial driver's license, or personal identification certificate without the consent of the license or certificate holder; or

(2) compiles or maintains a database of electronically readable information derived from driver's licenses, commercial driver's licenses, or personal identification certificates without the consent of each license or certificate holder whose information is compiled or maintained.

(b-1) For the purposes of Subsection (b), a license or certificate holder provides consent only by signing a separate document or using an electronic signature, as defined by Section 43.002, Business & Commerce Code, on an electronic record that states:

"I consent to allow (insert name of person) to access or include information from my driver's license or personal identification certificate in a compilation or database."

(b-2) A license or certificate holder may only provide consent to one person on each document or electronic record described by Subsection (b-1).

(b-3) A person may not sell or otherwise disclose electronically readable information accessed, compiled, or described by Subsection (b) to another person or an affiliate of the person. This subsection does not apply to a financial institution described by Subsection (e).

SECTION 6. (a) The change in law made to Section 521.126, Transportation Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. For the purposes of this section, an offense is committed before the

effective date of this Act if any element of the offense occurs before that date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2007.