

By: West

H.B. No. 320

A BILL TO BE ENTITLED

1 AN ACT

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, 2007.