

By: Cook of Navarro

H.B. No. 863

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the exemption of certain persons from the requirement  
3 that a person who requires disclosure of a social security number  
4 adopt a privacy policy.

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

6 SECTION 1. Section 35.581(c), Business & Commerce Code, as  
7 added by Chapter 198, Acts of the 79th Legislature, Regular  
8 Session, 2005, is amended to read as follows:

9 (c) This section does not apply to:

10 (1) a person who is required to maintain and  
11 disseminate a privacy policy under the Gramm-Leach-Bliley Act (15  
12 U.S.C. Sections 6801 to 6809), the Family Educational Rights and  
13 Privacy Act (20 U.S.C. Section 1232g), or the Health Insurance  
14 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d  
15 et seq.);

16 (2) a covered entity under rules adopted by the  
17 commissioner of insurance relating to insurance consumer health  
18 information privacy or insurance consumer financial information  
19 privacy;

20 (3) a governmental body, as defined by Section  
21 552.003, Government Code, other than a municipally owned utility;  
22 [~~or~~]

23 (4) a person with respect to a loan transaction, if the  
24 person is not engaged in the business of making loans; or

1                    (5) a person subject to Section 901.457, Occupations  
2 Code.

3                    SECTION 2. This Act takes effect September 1, 2007.