

1-1 By: Cook of Navarro (Senate Sponsor - Ellis) H.B. No. 863
1-2 (In the Senate - Received from the House March 26, 2007;
1-3 April 3, 2007, read first time and referred to Committee on
1-4 Business and Commerce; April 25, 2007, reported favorably by the
1-5 following vote: Yeas 8, Nays 0; April 25, 2007, sent to printer.)

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

1-8 relating to the exemption of certain persons from the requirement
1-9 that a person who requires disclosure of a social security number
1-10 adopt a privacy policy.

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

1-12 SECTION 1. Section 35.581(c), Business & Commerce Code, as
1-13 added by Chapter 198, Acts of the 79th Legislature, Regular
1-14 Session, 2005, is amended to read as follows:

1-15 (c) This section does not apply to:

1-16 (1) a person who is required to maintain and
1-17 disseminate a privacy policy under the Gramm-Leach-Bliley Act (15
1-18 U.S.C. Sections 6801 to 6809), the Family Educational Rights and
1-19 Privacy Act (20 U.S.C. Section 1232g), or the Health Insurance
1-20 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d
1-21 et seq.);

1-22 (2) a covered entity under rules adopted by the
1-23 commissioner of insurance relating to insurance consumer health
1-24 information privacy or insurance consumer financial information
1-25 privacy;

1-26 (3) a governmental body, as defined by Section
1-27 552.003, Government Code, other than a municipally owned utility;
1-28 [~~or~~]

1-29 (4) a person with respect to a loan transaction, if the
1-30 person is not engaged in the business of making loans; or

1-31 (5) a person subject to Section 901.457, Occupations
1-32 Code.

1-33 SECTION 2. This Act takes effect September 1, 2007.

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