

By: Vo

H.B. No. 2014

A BILL TO BE ENTITLED

AN ACT

relating to credit card marketing activities at postsecondary educational institutions.

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

SECTION 1. Subchapter L, Chapter 35, Business & Commerce Code, as added by Chapter 130 (H.B. 85), Acts of the 80th Legislature, Regular Session, 2007, is amended by adding Section 35.1325 to read as follows:

Sec. 35.1325. PROHIBITION AGAINST DISCLOSURE OF STUDENT CONTACT INFORMATION TO CREDIT CARD ISSUER. A postsecondary educational institution may not disclose to a credit card issuer contact information regarding any student of the institution. For purposes of this section, a student's contact information includes the student's name, telephone number, e-mail address, permanent or campus residence address, and mailing address. If the institution is subject to Chapter 552, Government Code, the institution is not required to seek a decision from the attorney general under that chapter in order to withhold student contact information from a credit card issuer that makes a written request for the information.

SECTION 2. Section 35.135, Business & Commerce Code, as added by Chapter 130 (H.B. 85), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

Sec. 35.135. RESTRICTION ON GIFTS OR INCENTIVES FOR

1 COMPLETING CREDIT CARD APPLICATION. A credit card issuer may not
2 offer a gift or other incentive in exchange for the completion of a
3 credit card application as part of a campus credit card marketing
4 activity [~~unless the credit card issuer, at the time the credit card
5 issuer provides a credit card application to an individual,
6 provides financial educational material developed under Section
7 35.133 to the individual~~].

8 SECTION 3. Subchapter B, Chapter 761, Business & Commerce
9 Code, as effective September 1, 2009, is amended by adding Section
10 761.0515 to read as follows:

11 Sec. 761.0515. PROHIBITION AGAINST DISCLOSURE OF STUDENT
12 CONTACT INFORMATION TO CREDIT CARD ISSUER. A postsecondary
13 educational institution may not disclose to a credit card issuer
14 contact information regarding any student of the institution. For
15 purposes of this section, a student's contact information includes
16 the student's name, telephone number, e-mail address, permanent or
17 campus residence address, and mailing address. If the institution
18 is subject to Chapter 552, Government Code, the institution is not
19 required to seek a decision from the attorney general under that
20 chapter in order to withhold student contact information from a
21 credit card issuer that makes a written request for the
22 information.

23 SECTION 4. Section 761.052, Business & Commerce Code, as
24 effective September 1, 2009, is amended to read as follows:

25 Sec. 761.052. RESTRICTION ON GIFTS OR INCENTIVES FOR
26 COMPLETING CREDIT CARD APPLICATION. A credit card issuer may not
27 offer a gift or other incentive in exchange for the completion of a

1 credit card application as part of a campus credit card marketing
2 activity [~~unless the credit card issuer, at the time the credit card~~
3 ~~issuer provides a credit card application to an individual,~~
4 ~~provides financial educational material developed under Section~~
5 ~~761.101 to the individual]~~.

6 SECTION 5. (a) Sections 1 and 2 of this Act take effect
7 only if the Act of the 81st Legislature, Regular Session, 2009,
8 relating to nonsubstantive additions to and corrections in existing
9 codes does not become law.

10 (b) Sections 3 and 4 of this Act take effect only if the Act
11 of the 81st Legislature, Regular Session, 2009, relating to
12 nonsubstantive additions to and corrections in existing codes
13 becomes law.

14 SECTION 6. This Act takes effect September 1, 2009.