

Amend CSHB 318 as follows:

1) In SECTION 1 of the bill, strike subsection (c) (page 1, line 23 through page 2, line 15) and substitute the following:

(c) This section does not prohibit an employer from:

(1) maintaining lawful workplace policies governing:

(A) employee usage of employer-provided electronic communication devices, including employee access to personal accounts on those devices; or

(B) employee usage of personal electronic communication devices during working hours;

(2) monitoring employee usage of employer-provided electronic communication devices or employer-provided e-mail accounts; or

(3) obtaining information about an employee or applicant for employment that is in the public domain or that is otherwise lawfully obtained.

2) In SECTION 1 of the bill, strike subsection (d) (page 2, lines 16 through 17) and substitute the following:

(d) This section does not apply to a personal social media account or an electronic communication device of a financial services employee who uses the account or device to conduct business of the employer that is subject to the content, supervision, and retention requirements imposed by federal securities laws and regulations or by a self-regulatory organization, as defined by Section 3(a)(26), Securities Exchange Act of 1934 (15 U.S.C. Section 78c).

3) In SECTION 1 of the bill, strike subsection (e) through subsection (g) (page 2, lines 18 through page 3, line 23).