

By: Farrar

H.B. No. 3750

A BILL TO BE ENTITLED

AN ACT

relating to digital storage of copy machines.

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

SECTION 1. The Business and Commerce Code is amended by adding Chapter 107 as follows:

CHAPTER 107. DIGITAL STORAGE OF COPY MACHINES

Sec. 107.001. DEFINITIONS. In this chapter:

(1) "Business" means any corporation, company, partnership, firm, association, or other entity, and shall include a public entity.

(2) "Public entity" means the State, and any county, municipality, district, public authority, public agency, and any other political subdivision or public body in the State.

(3) "Records" means any material recorded or preserved by any means.

Sec. 107.002. DESTRUCTION OF DIGITAL COPIES. A business shall destroy, or arrange for the destruction of, all records stored on a digital copy machine, which is no longer to be retained by that business, by erasing or otherwise modifying those records to make the records unreadable, undecipherable, or nonreconstructable through generally available means.

Sec. 107.003. CIVIL PENALTY. A business that violates this chapter is subject to a civil penalty not to exceed \$10,000 for each violation.

1 Sec. 107.004. SUIT FOR CIVIL PENALTY. The attorney general
2 or a county or district attorney may bring an action to recover a
3 civil penalty imposed under Section. 107.003.

4 SECTION 2. This act take effect September 1, 2013.