

By: Laubenberg

H.B. No. 1983

A BILL TO BE ENTITLED

AN ACT

relating to limitations on the capture or possession of a biometric identifier by a governmental body.

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

SECTION 1. Section 560.001(1), Government Code, is amended to read as follows:

(1) "Biometric identifier" means a blood sample, hair sample, skin sample, DNA sample, body scan, retina or iris scan, fingerprint, voiceprint, or record of hand or face geometry.

SECTION 2. Chapter 560, Government Code, is amended by adding Section 560.0015 to read as follows:

Sec. 560.0015. STATUTORY AUTHORITY REQUIRED. A governmental body may not capture or possess a biometric identifier of an individual unless the governmental body has:

(1) specific, explicit statutory authority to capture or possess the individual's biometric identifier; or

(2) the written consent of the individual or the individual's legal guardian.

SECTION 3. Section 560.0015, Government Code, as added by this Act, applies only to a biometric identifier captured on or after the effective date of this Act. A biometric identifier captured before that date is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2015.