

By: Davis of Dallas, Guillen

H.B. No. 3248

A BILL TO BE ENTITLED

AN ACT

relating to state agency procedures and policies to protect and properly destroy certain information that identifies an individual.

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

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2064 to read as follows:

CHAPTER 2064. INDIVIDUAL-IDENTIFYING INFORMATION

Sec. 2064.001. DEFINITION. In this chapter, "state agency" means a department, commission, board, office, council, authority, or other agency in the executive, legislative, or judicial branch of state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, that is created by the constitution or a statute of this state.

Sec. 2064.002. SECURITY FOR INDIVIDUAL-IDENTIFYING INFORMATION. Each state agency shall develop policies and procedures to properly secure all information, including electronic information and any electronic backup of that information, that alone or in conjunction with other information identifies an individual. The agency shall implement electronic security strategies developed by the Department of Information Resources under Chapter 2054 as appropriate.

Sec. 2064.003. SECURE DESTRUCTION OF INFORMATION. A state agency shall destroy or arrange for the destruction of information

1 that alone or in conjunction with other information identifies an
2 individual and that is not required to be retained under other law
3 in a manner that properly protects the information from disclosure,
4 including by:

5 (1) shredding;

6 (2) erasing; or

7 (3) otherwise modifying the sensitive information in
8 the records to make the information unreadable or indecipherable
9 through any means.

10 SECTION 2. This Act takes effect September 1, 2015.