

By: Laubenberg

H.B. No. 3443

Substitute the following for H.B. No. 3443:

By: Elkins

C.S.H.B. No. 3443

A BILL TO BE ENTITLED

AN ACT

relating to a written policy of certain state agencies on the collection and possible sale of an individual's personal information.

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

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2062 to read as follows:

CHAPTER 2062. STATE AGENCY POLICY ON COLLECTION AND SALE OF PERSONAL INFORMATION

Sec. 2062.001. 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. 2062.002. POLICY REQUIRED. Each state agency that sells or offers to sell to a person information, including information considered public information under Chapter 552, that is collected by the agency and that alone or in conjunction with other information identifies an individual shall:

(1) adopt a written policy on the collection and possible sale of the information to another person; and

(2) make a copy of the policy available on request.

Sec. 2062.003. POSTING OF POLICY REQUIRED. A state agency

1 that adopts a policy under Section 2062.002 shall post on the
2 agency's Internet website the policy and the following statement:
3 "Personal information collected by (name of agency) is for agency
4 use and may also be sold to interested persons."

5 SECTION 2. Not later than December 31, 2015, each state
6 agency subject to Section 2062.002, Government Code, as added by
7 this Act, shall adopt the written policy required by that section.

8 SECTION 3. This Act takes effect September 1, 2015.