

By: Kolkhorst

S.B. No. 672

A BILL TO BE ENTITLED

AN ACT

relating to restrictions on the sale by a state agency of 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 2060 to read as follows:

CHAPTER 2060. RESTRICTIONS ON SALE BY STATE AGENCY OF CERTAIN  
INDIVIDUAL-IDENTIFYING INFORMATION

Sec. 2060.001. 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. 2060.002. CONSENT REQUIRED BEFORE SALE; RECORDS. (a) Before a state agency may sell to a person information that alone or in conjunction with other information identifies an individual, the state agency must obtain the written consent of the individual.

(b) A state agency shall retain the consent of an individual in the agency's records until the sales contract or agreement under which the information is sold expires.

Sec. 2060.003. PROHIBITED SALES. A state agency may not:

(1) sell to a person any information that alone or in conjunction with other information identifies an individual unless

1 the person agrees in writing not to resell the information;

2 (2) sell to a person who wishes to remain anonymous any  
3 information that alone or in conjunction with other information  
4 identifies an individual; or

5 (3) sell to a person any information that alone or in  
6 conjunction with other information identifies an individual unless  
7 the individual has provided written consent to the agency.

8 SECTION 2. Chapter 2060, Government Code, as added by this  
9 Act, applies only to information sold by a state agency to another  
10 person on or after the effective date of this Act.

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