

Amend CSHB 4390 (house committee printing) as follows:

(1) On page 1, line 22, between "breach" and "if", insert "not later than the 60th day after the date on which the person determines that the breach occurred".

(2) Strike page 2, line 17, through page 3, line 6, and substitute the following:

(c) The council is composed of members who are residents of this state and appointed as follows:

(1) five members appointed by the speaker of the house of representatives, two of whom must be representatives of an industry listed under Subsection (d) of this section and three of whom must be members of the house of representatives;

(2) five members appointed by the lieutenant governor, two of whom must be representatives of an industry listed under Subsection (d) of this section and three of whom must be senators; and

(3) five members appointed by the governor, three of whom must be representatives of an industry listed under Subsection (d) of this section and two of whom must be either:

(A) a representative of a nonprofit organization that studies or evaluates data privacy laws from the perspective of individuals whose information is collected or processed by businesses; or

(B) a professor who teaches at a law school in this state or other institution of higher education, as defined by Section 61.003, Education Code, and whose books or scholarly articles on the topic of data privacy have been published.

(d) For purposes of making appointments of members who represent industries under Subsection (c) of this section, the speaker of the house of representatives, lieutenant governor, and governor shall appoint members from among the following industries and must coordinate their appointments to avoid overlap in representation of the industries:

- (1) medical profession;
- (2) technology;
- (3) Internet;
- (4) retail and electronic transactions;

- (5) consumer banking;
- (6) telecommunications;
- (7) consumer data analytics;
- (8) advertising;
- (9) Internet service providers;
- (10) social media platforms;
- (11) cloud data storage; or
- (12) virtual private networks.

(3) On page 3, line 9, between "council" and the period, insert "who are members of the legislature".

(4) On page 3, line 24, strike "December" and substitute "September".

(5) In SECTION 2 of the bill, add the following appropriately lettered subsection:

(\_\_\_\_) The Department of Information Resources shall provide administrative support to the council.

(6) Reletter subsections of SECTION 2 of the bill appropriately.