

Amend CSSB 15 (senate committee report) as follows:

(1) In SECTION 6 of the bill, in added Section 730.003(1-b), Transportation Code (page 3, line 10), strike "directly".

(2) In SECTION 9 of the bill, strike amended Section 730.007(a)(2)(J), Transportation Code (page 4, lines 35 and 36), and substitute the following:

(H) [~~(J)~~] use in connection with the operation of a type of transportation project described by Section 370.003 [~~private toll transportation facility~~];

(3) Add the following appropriately numbered SECTIONS to the bill and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. The heading to Section 730.014, Transportation Code, is amended to read as follows:

Sec. 730.014. AGENCY RULES, [~~ORGANIZATION OF~~] RECORDS, AND CONTRACTS.

SECTION _____. Section 730.014, Transportation Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) An agency that provides a requestor access to motor vehicle records in bulk under a contract under Section 730.007 shall include in the contract:

(1) a requirement that the requestor post a performance bond in an amount of not more than \$5 million;

(2) a prohibition on the sale or redisclosure of the personal information for the purpose of marketing extended vehicle warranties by telephone;

(3) a requirement that the requestor provide proof of general liability and cyber-threat insurance coverage in an amount specified by the contracting agency that is:

(A) at least \$3 million; and

(B) reasonably related to the risks associated with unauthorized access and use of the records;

(4) a requirement that if a requestor experiences a breach of system security, as defined by Section 521.053, Business & Commerce Code, that includes data obtained under Section 730.007, the requestor must notify the agency of the breach not later than 48 hours after the discovery of the breach;

(5) a requirement that the requestor include in each contract with a third party that receives the records from the requestor that the third party must comply with federal and state laws regarding the records;

(6) a requirement that the requestor and any third party receiving the records from the requestor protect the records with appropriate and accepted industry standard security measures for the type of record and the known risks from unauthorized access and use of the records; and

(7) a requirement that the requestor annually provide to the agency a report of all third parties to which the records were disclosed under this section and the purpose of the disclosure.

(d) An agency that discloses any motor vehicle records in bulk under Section 730.007 shall include in the records at least two records that are created solely for the purpose of monitoring compliance with this chapter and detecting, by receipt of certain forms of communications or actions directed at the subjects of the created records, potential violations of this chapter or contract terms required by this section.

(e) An agency that discloses motor vehicle records shall designate a person responsible for:

(1) monitoring compliance with this chapter and contract terms required by this section; and

(2) recommending or implementing agency enforcement remedies for violations of this chapter or breach of a contract described by this section.