By:  Johnson, et al. S.B. No. 858

A BILL TO BE ENTITLED

AN ACT

relating to the disclosure of information collected by a metropolitan rapid transit authority, regional transportation authority, municipal transit department, or coordinated county transportation authority under the public information law.

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

SECTION 1.  Section 451.061, Transportation Code, is amended by amending Subsection (f) and adding Subsection (g) to read as follows:

(f)  Except as provided by Subsection (g), personal [~~Personal~~] identifying information collected by an authority is confidential and not subject to disclosure under Chapter 552, Government Code, including a person's:

(1)  name, address, e-mail address, and phone number;

(2)  account number, password, payment transaction activity, toll or charge record, or credit, debit, or other payment card number; [~~and~~]

(3)  trip data, including the time, date, origin, and destination of a trip, and demographic information collected when the person purchases a ticket or schedules a trip; and

(4)  other personal [~~financial~~] information, including financial information.

(g)  Personal identifying information described by Subsection (f)(3) may be disclosed to a governmental agency or institution of higher education, as defined by Section 61.003, Education Code, by an authority if the requestor confirms in writing that the use of the information will be strictly limited to use in research or in producing statistical reports, but only if the information is not published, redisclosed, sold, or used to contact any individual.

SECTION 2.  Section 452.061, Transportation Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e)  Except as provided by Subsection (f), personal [~~Personal~~] identifying information collected by an authority is confidential and not subject to disclosure under Chapter 552, Government Code, including a person's:

(1)  name, address, e-mail address, and phone number;

(2)  account number, password, payment transaction activity, toll or charge record, or credit, debit, or other payment card number; [~~and~~]

(3)  trip data, including the time, date, origin, and destination of a trip, and demographic information collected when the person purchases a ticket or schedules a trip; and

(4)  other personal [~~financial~~] information, including financial information.

(f)  Personal identifying information described by Subsection (e)(3) may be disclosed to a governmental agency or institution of higher education, as defined by Section 61.003, Education Code, by an authority if the requestor confirms in writing that the use of the information will be strictly limited to use in research or in producing statistical reports, but only if the information is not published, redisclosed, sold, or used to contact any individual.

SECTION 3.  Section 453.104, Transportation Code, is amended to read as follows:

Sec. 453.104.  FARES AND OTHER CHARGES. (a) The board shall, after a public hearing, impose reasonable and nondiscriminatory fares, tolls, charges, rents, or other compensation for the use of the transit department system sufficient to produce revenue, together with receipts from taxes imposed by the transit department, in an amount adequate to:

(1)  pay all the expenses necessary to operate and maintain the transit department system;

(2)  pay when due the principal of and interest on, and sinking fund and reserve fund payments agreed to be made with respect to, all bonds that are issued by the board and payable in whole or part from the revenue; and

(3)  fulfill the terms of any other agreement with the holders of bonds described by Subdivision (2) or with a person acting on behalf of the bondholders.

(b)  Except as provided by Subsection (c), personal identifying information collected by a transit department is confidential and not subject to disclosure under Chapter 552, Government Code, including a person's:

(1)  name, address, e-mail address, and phone number;

(2)  account number, password, payment transaction activity, toll or charge record, or credit, debit, or other payment card number;

(3)  trip data, including the time, date, origin, and destination of a trip, and demographic information collected when the person purchases a ticket or schedules a trip; and

(4)  other personal information, including financial information.

(c)  Personal identifying information described by Subsection (b)(3) may be disclosed to a governmental agency or institution of higher education, as defined by Section 61.003, Education Code, by a transit department if the requestor confirms in writing that the use of the information will be strictly limited to use in research or in producing statistical reports, but only if the information is not published, redisclosed, sold, or used to contact any individual.

SECTION 4.  Section 460.109, Transportation Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e)  Except as provided by Subsection (f), personal [~~Personal~~] identifying information collected by an authority is confidential and not subject to disclosure under Chapter 552, Government Code, including a person's:

(1)  name, address, e-mail address, and phone number;

(2)  account number, password, payment transaction activity, toll or charge record, or credit, debit, or other payment card number; [~~and~~]

(3)  trip data, including the time, date, origin, and destination of a trip, and demographic information collected when the person purchases a ticket or schedules a trip; and

(4)  other personal [~~financial~~] information, including financial information.

(f)  Personal identifying information described by Subsection (e)(3) may be disclosed to a governmental agency or institution of higher education, as defined by Section 61.003, Education Code, by an authority if the requestor confirms in writing that the use of the information will be strictly limited to use in research or in producing statistical reports, but only if the information is not published, redisclosed, sold, or used to contact any individual.

SECTION 5.  The changes in law made by this Act apply only to a request for information that is received by a regional transportation authority, metropolitan rapid transit authority, municipal transit department, or coordinated county transportation authority on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 6.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.