

AN ACT

relating to the purchase of cybersecurity insurance coverage by the Texas Department of Transportation.

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

SECTION 1. Subchapter I, Chapter 201, Transportation Code, is amended by adding Section 201.712 to read as follows:

Sec. 201.712. PURCHASE OF CYBERSECURITY INSURANCE. (a) In this section, "cyber attack" means an attempt to gain illegal access to a computer or computer system for the purpose of causing damage, harm, or disruption.

(b) The department may purchase insurance coverage that the department considers necessary to protect against liability, revenue, and property losses that may result from a data breach or cyber attack.

(c) Insurance purchased under this section may include coverage for business and dependent business interruption loss, breach response, data recovery, cyber extortion or ransomware response, fiduciary liability, media liability, professional liability, or expenses for general incident management, such as investigation, remediation, and notification.

SECTION 2. 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

H.B. No. 3390

1 Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3390 was passed by the House on April 23, 2021, by the following vote: Yeas 133, Nays 13, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3390 was passed by the Senate on May 12, 2021, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor