

By: Lambert, Guillen, et al.

H.B. No. 3510

A BILL TO BE ENTITLED

1 AN ACT
2 relating to work from remote locations by certain employees of
3 certain entities licensed by the Office of Consumer Credit
4 Commissioner.

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

6 SECTION 1. Subchapter F, Chapter 341, Finance Code, is
7 amended by adding Section 341.503 to read as follows:

8 Sec. 341.503. WORK FROM REMOTE LOCATIONS. (a)
9 Notwithstanding provisions of this subtitle that prohibit
10 conducting business at an unlicensed location and except as
11 provided by Subsection (b), a person licensed under this subtitle
12 may allow an employee of the license holder to work from a remote
13 location if the license holder:

14 (1) ensures that in-person consumer interactions will
15 be conducted at a licensed location;

16 (2) maintains appropriate safeguards for license
17 holder and consumer data, information, and records, including the
18 use of secure virtual private networks where appropriate;

19 (3) employs appropriate risk-based monitoring and
20 oversight processes for work performed from a remote location and
21 maintains records of those processes;

22 (4) ensures that consumer information and records are
23 not maintained at a remote location;

24 (5) ensures that license holder and consumer

1 information and records, including written procedures and training
2 for work from remote locations authorized under this section, are
3 accessible and available to the commissioner or the commissioner's
4 representative on request;

5 (6) provides appropriate employee training to:

6 (A) keep all conversations about and with
7 consumers conducted from a remote location confidential as if
8 conducted from a licensed location; and

9 (B) ensure that remote employees work in an
10 environment conducive and appropriate to consumer privacy; and

11 (7) adopts, maintains, and follows written procedures
12 to ensure that:

13 (A) the license holder and the license holder's
14 employees comply with this section and applicable law; and

15 (B) the employees do not perform an activity that
16 would be prohibited at a licensed location.

17 (b) This section applies to an employee of a person licensed
18 under Chapter 348 or 353 only if the employee engages in making,
19 servicing, holding, or collecting a retail installment transaction
20 as defined by Section 348.001 or 353.001, as applicable.

21 (c) The finance commission may adopt rules to implement this
22 section.

23 SECTION 2. This Act takes effect September 1, 2021.