

By: Hinojosa

S.B. No. 1010

A BILL TO BE ENTITLED

AN ACT

relating to prohibitions on the sale by a state agency of an individual's personal data.

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

SECTION 1. Subtitle B, Title 10, Government Code, is amended by adding Chapter 2062 to read as follows:

CHAPTER 2062. PROHIBITIONS ON SALE BY STATE AGENCY OF PERSONAL DATA

Sec. 2062.001. DEFINITIONS. In this chapter:

(1) "Personal data" means any information relating to an identified or identifiable individual that directly or indirectly identifies the individual.

(2) "State agency" has the meaning assigned by Section 2054.451.

Sec. 2062.002. APPLICABILITY. This chapter does not apply to the release of public information under Chapter 552 or to any charge for providing copies of public information under that chapter.

Sec. 2062.003. PROHIBITED SALES. (a) Subject to Subsection (b), a state agency may not sell to any person any personal data.

(b) A state agency may sell information described by Subsection (a) only if disclosure of the information is required under federal or state law.

SECTION 2. Chapter 2062, Government Code, as added by this

1 Act, applies only to information sold by a state agency to another
2 person on or after the effective date of this Act.

3 SECTION 3. As soon as practicable after the effective date
4 of this Act, the comptroller of public accounts, based on the
5 changes in law made by this Act, shall:

6 (1) determine whether any transfer of money for
7 deposit to the Texas mobility fund is necessary to comply with
8 Section 49-k, Article III, Texas Constitution; and

9 (2) transfer any amount determined to be necessary
10 under Subdivision (1) of this section to the Texas mobility fund
11 from the general revenue fund.

12 SECTION 4. This Act takes effect September 1, 2021.