

Amend CSHB 18 (house committee report) as follows:

(1) On page 1, line 22, between "age" and the underlined period, insert the following:

who:

(A) has never been married; and

(B) has not had the disabilities of minority removed for general purposes

(2) On page 2, line 2, between "APPLICABILITY." and "This", insert "(a)".

(3) On page 2, line 17, strike "or".

(4) On page 2, line 18, between "education" and the underlined period, insert the following:

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(6) a digital service provider who processes or maintains user data for the purpose of evaluating a user in connection with the employment, promotion, reassignment, or retention of the user as an employee or independent contractor, to the extent that the user's data is processed or maintained for that purpose;

(7) an operator or provider regulated by Subchapter D, Chapter 32, Education Code; or

(8) a person subject to the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) that operates a digital service

(5) On page 2, between lines 18 and 19, insert the following:

(b) An Internet service provider or Internet service provider's affiliate is not considered to be a digital service provider if the Internet service provider or affiliate provides access or connection to a digital service, unless the Internet service provider or affiliate exercises control of or is otherwise responsible for the creation or provision of content that exposes a known minor to harm as described by Section 509.053.

(c) A person is not a known minor after the person's 18th birthday.

(6) On page 3, line 4, strike "or other".

(7) On page 3, line 22, strike "and".

(8) On page 3, line 25, between "509.052" and the underlined period, insert the following:

; and

(7) any other commercially reasonable method of obtaining consent that complies with Subsection (c)

(9) On page 4, line 19, strike "disable" and substitute "prevent the display of".

(10) After page 4, line 27, insert the following:

(h) An agreement between a digital service provider and a known minor under this section may not be construed to prevent the digital service provider from collecting, processing, or sharing user data in a manner necessary to comply with:

(1) a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by a governmental authority; or

(2) a law enforcement agency investigating conduct that the digital service provider reasonably believes in good faith to violate federal, state, or local laws.

(11) On page 5, lines 15 through 16, strike "PREVENT HARM" and substitute "EXERCISE REASONABLE CARE".

(12) On page 5, line 16, strike "(a) A" and substitute "In relation to a known minor's use of a digital service, a".

(13) On page 5, lines 17 through 19, strike "physical, emotional, and developmental harm to a known minor in relation to the minor's use of the digital service, including".

(14) On page 6, strike lines 5 through 8.

(15) On page 9, strike lines 14 through 18 and substitute the following:

Sec. 509.057. PROHIBITION AGAINST DISCRIMINATION. A digital service provider may not discriminate against a known minor or the known minor's parent or guardian in any manner for exercising a right described by this chapter.

(16) On page 9, between lines 18 and 19, insert the following:

Sec. 509.058. PROTECTION OF TRADE SECRETS. Nothing in this subchapter may be construed to require a digital service provider to disclose a trade secret.

(17) On page 9, line 22, strike "In" and substitute "Except

as provided by Section 509.102, in".

(18) On page 9, line 23, strike "a" and substitute "any public".

(19) On page 9, between lines 24 and 25, insert the following:

Sec. 509.102. NO PRIVATE RIGHT OF ACTION. This chapter may not be construed as providing a basis for, or being subject to, a private right of action for a violation of this chapter.