

1-1 By: Nichols S.B. No. 821
 1-2 (In the Senate - Filed February 9, 2023; March 1, 2023, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 March 30, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 0; March 30, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 821 By: Nichols

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the review by the Sunset Advisory Commission of the sale
 1-24 of personal data by state agencies.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Chapter 325, Government Code, is amended by
 1-27 adding Section 325.0124 to read as follows:

1-28 Sec. 325.0124. REVIEW OF AGENCY'S SALE OF PERSONAL DATA.

1-29 (a) In this section, "personal data" means any information
 1-30 relating to an identified or identifiable individual that directly
 1-31 or indirectly identifies the individual by reference to:

1-32 (1) an identifier for the individual, including a
 1-33 name, an identification number, location information, or an online
 1-34 identifier; or

1-35 (2) one or more factors specific to the physical,
 1-36 physiological, genetic, mental, economic, cultural, or social
 1-37 identity of the individual.

1-38 (b) As part of its review of a state agency, the commission
 1-39 shall determine whether the state agency sells personal data the
 1-40 agency possesses. If the state agency sells personal data, the
 1-41 commission shall determine:

1-42 (1) to whom the personal data is sold;

1-43 (2) to the extent possible, the purpose for which the
 1-44 personal data is sold;

1-45 (3) the amount the state agency receives for the sale
 1-46 of the personal data; and

1-47 (4) the law that authorizes the state agency to sell
 1-48 the personal data.

1-49 (c) The commission shall recommend prohibiting the sale of
 1-50 personal data by a state agency, unless the commission identifies a
 1-51 compelling state or public interest justifying the state agency's
 1-52 authority to sell the personal data. If the commission recommends
 1-53 continuing the state agency's authority to sell personal data, the
 1-54 commission shall make any recommendations it considers necessary to
 1-55 protect the personal data from improper use and dissemination.

1-56 SECTION 2. This Act takes effect September 1, 2023.

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