

Amend CSHB 2221 (senate committee report) in SECTION 2 of the bill, as follows:

(1) In added Section 1702.005(1), Insurance Code (page 3, line 10), strike "; or" and substitute an underlined semicolon.

(2) In added Section 1702.005(2), Insurance Code (page 3, line 17), between "1702.053" and the underlined period, insert the following:

; or

(3) permit an insurer, health maintenance organization, or agent or any other person to obtain information from a tracking device used as part of a loss-control or value-added product or service permitted under this chapter in a manner that would violate privacy requirements under Chapter 601 or 602.

(3) Immediately after added Section 1702.051, Insurance Code (page 3, between lines 43 and 44), insert the following appropriately designated subsection:

(_) An insurer, health maintenance organization, or agent may not use or implement a tracking device to track or gather the data of an individual as part of a loss-control or value-added product or service unless, before any use or implementation:

(1) the intended use or implementation of the device is disclosed to the individual; and

(2) the individual consents to the device's use or implementation.