

BILL ANALYSIS

C.S.H.B. 2767
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that, while online global marketplaces such as Amazon, eBay, Etsy, and Airbnb have become key drivers of economic activity in Texas, offering platforms for entrepreneurs, small businesses, and independent workers to reach customers and generate income and as these digital platforms continue to grow, they nevertheless face a patchwork of local regulations that can create confusion, increase compliance costs, and hinder business operations across city and county lines. The bill author has also informed the committee that, without clear statewide guidance, Texas risks creating regulatory uncertainty that could discourage innovation, investment, and economic opportunity. C.S.H.B. 2767 seeks to ensure a consistent and business-friendly regulatory environment for online global marketplaces and to establish a uniform statewide regulatory framework by prohibiting a county or municipality from regulating the operation of an online global marketplace and from requiring a marketplace to provide personally identifiable information of its users without an administrative subpoena or court order.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2767 amends the Business & Commerce Code to prohibit a county or municipality from regulating the operation of an online global marketplace or requiring an online global marketplace to provide personally identifiable information of its platform users without an administrative subpoena or court order. The bill defines "online global marketplace" as a person that is not regulated by the state and that does the following:

- provides for consideration, including consideration deducted as a fee from the transaction, an online application, software, a website, a system, or another medium through which a good or service in Texas is advertised or offered to the public as available; and
- directly or indirectly provides or maintains an Internet platform for goods or services by:
 - providing a payment system that facilitates a transaction between two platform users;
 - transmitting or otherwise communicating the offer or acceptance of a transaction between two platform users;
 - owning or operating the electronic or physical infrastructure or technology that brings two or more platform users together;

- providing a virtual currency that platform users are allowed or required to use for transactions; or
- providing software development or research and development activities related to any such activities constituting the provision or maintenance of the platform.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

C.S.H.B. 2767 differs from the introduced in minor or nonsubstantive ways by conforming to certain bill drafting conventions.