

BILL ANALYSIS

Senate Research Center

H.B. 5129
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently there are no statutory provisions protecting Texans who hold an occupational or professional license with a state agency against having their personally identifiable information disseminated via public information requests.

H.B. 5129 addresses this issue by ensuring that personal information such as home addresses, telephone numbers, email addresses, driver's license numbers, and emergency contacts held by state agencies is treated as confidential, preventing sensitive information from being publicly disclosed without the person's written consent. The bill authorizes disclosure for law enforcement purposes.

H.B. 5129 amends current law relating to the security of certain personal identifying information submitted to or retained by a state agency.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes this Act to be cited as the Right to Privacy Act.

SECTION 2. Amends the heading to Chapter 2062, Government Code, to read as follows:

CHAPTER 2062. RESTRICTIONS ON STATE AGENCY USE AND DISSEMINATION OF CERTAIN PERSONAL INFORMATION

SECTION 3. Amends Section 2062.001, Government Code, by amending Subdivision (2) and adding Subdivision (3) to define "personal identifying information."

SECTION 4. Amends Chapter 2062, Government Code, by adding Section 2062.003, as follows:

Sec. 2062.003. CONSENT REQUIRED BEFORE DISSEMINATING CERTAIN PERSONAL IDENTIFYING INFORMATION; RECORDS. (a) Prohibits a state agency, except as provided by Subsection (b), without written consent, from disseminating to any person the personal identifying information of a person who submits information to the state agency for the purpose of obtaining an occupational license.

(b) Authorizes a state agency to disseminate information described by Subsection (a) with respect to a person without the person's written consent if the dissemination is required or permitted by a federal statute or by another law of this state or made by or to a law enforcement agency for a law enforcement purpose.

(c) Requires a state agency to retain the written consent of a person obtained as required under this section in the state agency's records.

(d) Provides that, for purposes of this section, the term "occupational license" does not include a license or permit that is administered by the Comptroller Public Accounts of the State of Texas under the Occupations Code.

SECTION 5. Makes application of Section 2062.003, Government Code, as added by this Act, prospective.

SECTION 6. Effective date: upon passage or September 1, 2025.