

## **BILL ANALYSIS**

Senate Research Center  
89R23120 JCG-D

C.S.S.B. 816  
By: Huffman  
Criminal Justice  
4/22/2025  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The current Texas tracking statutes constrain law enforcement's ability to obtain electronic customer data in urgent, life-threatening situations when no criminal investigation is underway.

To address this, S.B. 816 creates an exception for disclosure in immediate life-threatening situations, allowing providers of electronic communication and remote computing services to voluntarily share customer data with government entities when they believe, in good faith, that there is an immediate threat to life or safety, even if no criminal investigation is underway.

#### **COMMITTEE SUBSTITUTE:**

The committee substitute clarifies that subscribers or customers of electronic communications or remote computing service providers cannot sue those providers—or their officers, employees, agents, or other specified individuals—for giving information, facilities, or assistance as required by law.

C.S.S.B. 816 amends current law relating to authorizing the disclosure of certain electronic customer data by a provider of an electronic communications service or a remote computing service in certain immediate life-threatening situations.

### **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. Amends Articles 18B.502(a) and (b), Code of Criminal Procedure, as follows:

(a) Creates an exception under Article 18B.5025.

(b) Creates an exception under Article 18B.5025.

SECTION 2. Amends Subchapter K, Chapter 18B, Code of Criminal Procedure, by adding Article 18B.5025, as follows:

Art. 18B.5025. DISCLOSURE IN IMMEDIATE LIFE-THREATENING SITUATION. Authorizes a provider of an electronic communications service or a provider of a remote computing service to disclose electronic customer data to a governmental entity if the provider in good faith believes an immediate life-threatening situation exists that requires the immediate disclosure of the electronic customer data to assist in preventing any death or serious bodily injury that may result from the immediate life-threatening situation.

SECTION 3. Amends Article 18B.552, Code of Criminal Procedure, as follows:

Art. 18B.552. NO CAUSE OF ACTION. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that a person does not have a cause of action against a provider of an electronic communications service or a provider of a remote computing service or the service provider's officers, employees, or agents for disclosing electronic customer data to a governmental entity as authorized by Article 18B.5025.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2025.