

By: Noble, Bell of Montgomery, Capriglione,
Shaheen

H.B. No. 5129

A BILL TO BE ENTITLED

AN ACT

relating to the security of certain personal identifying
information submitted to or retained by a state agency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Right to Privacy
Act.

SECTION 2. The heading to Chapter 2062, Government Code, is
amended to read as follows:

CHAPTER 2062. RESTRICTIONS ON STATE AGENCY USE AND DISSEMINATION
OF CERTAIN PERSONAL [~~INDIVIDUAL-IDENTIFYING~~] INFORMATION

SECTION 3. Section 2062.001, Government Code, is amended by
amending Subdivision (2) and adding Subdivision (3) to read as
follows:

(2) "Personal identifying information" includes a
person's home address, home telephone number, personal cell phone
number, personal e-mail address, driver's license number,
emergency contact information, and information that reveals
whether a person has family members.

(3) "State agency" means a department, commission,
board, office, council, authority, or other agency in the
executive, legislative, or judicial branch of state government,
including a university system or institution of higher education as
defined by Section 61.003, Education Code, that is created by the
constitution or a statute of this state.

SECTION 4. Chapter 2062, Government Code, is amended by adding Section 2062.003 to read as follows:

Sec. 2062.003. CONSENT REQUIRED BEFORE DISSEMINATING CERTAIN PERSONAL IDENTIFYING INFORMATION; RECORDS. (a) Except as provided by Subsection (b), a state agency may not, without written consent, disseminate 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) A state agency may disseminate information described by Subsection (a) with respect to a person without the person's written consent if the dissemination is:

(1) required or permitted by a federal statute or by another law of this state; or

(2) made by or to a law enforcement agency for a law enforcement purpose.

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

(d) For purposes of this section, the term "occupational license" does not include a license or permit that is administered by the comptroller under the Occupations Code.

SECTION 5. Section 2062.003, Government Code, as added by this Act, applies only to information disseminated or retained by a state agency on or after the effective date of this Act.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2025.