

By: Noble, Bell of Montgomery

H.B. No. 5129

Substitute the following for H.B. No. 5129:

By: Capriglione

C.S.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" has the meaning assigned by Section 72.001, Business & Commerce Code, and 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:

(1) 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; or

(2) retain information described by Subdivision (1) in the state agency's records in a form that is not entirely redacted.

(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 a state statute other than Chapter 552; 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.

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

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2025.