

By: Huffman

S.B. No. 816

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1. Articles [18B.502](#)(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) Except as provided by Subsection (c) and Article 18B.5025, a provider of an electronic communications service may not knowingly divulge the contents of a communication that is in electronic storage.

(b) Except as provided by Subsection (c) and Article 18B.5025, a provider of a remote computing service may not knowingly divulge the contents of a communication that:

(1) is in electronic storage on behalf of a subscriber or customer of the service provider;

(2) is received by means of electronic transmission from the subscriber or customer or created by means of computer processing of communications received by means of electronic transmission from the subscriber or customer; and

(3) is solely for the purpose of providing storage or computer processing services to the subscriber or customer, if the service provider is not authorized to obtain access to the contents

1 of that communication for purposes of providing any service other  
2 than storage or computer processing.

3 SECTION 2. Subchapter K, Chapter 18B, Code of Criminal  
4 Procedure, is amended by adding Article 18B.5025 to read as  
5 follows:

6 Art. 18B.5025. DISCLOSURE IN IMMEDIATE LIFE-THREATENING  
7 SITUATION. A provider of an electronic communications service or a  
8 provider of a remote computing service may disclose electronic  
9 customer data to a law enforcement agency if the provider in good  
10 faith believes an immediate life-threatening situation exists that  
11 requires the immediate disclosure of the electronic customer data  
12 to assist in preventing any death or serious bodily injury that may  
13 result from the immediate life-threatening situation.

14 SECTION 3. Article 18B.552, Code of Criminal Procedure, is  
15 amended to read as follows:

16 Art. 18B.552. NO CAUSE OF ACTION. (a) A subscriber or  
17 customer of a provider of an electronic communications service or a  
18 provider of a remote computing service does not have a cause of  
19 action against a service provider or the service provider's  
20 officers, employees, or agents or against other specified persons  
21 for providing information, facilities, or assistance as required by  
22 a court order, warrant, subpoena, or certification under this  
23 chapter.

24 (b) A person does not have a cause of action against a  
25 provider of an electronic communications service or a provider of a  
26 remote computing service or the service provider's officers,  
27 employees, or agents for disclosing electronic customer data to a

1 law enforcement agency as authorized by Article 18B.5025.

2       SECTION 4. The changes in law made by this Act apply to a  
3 disclosure of electronic customer data by a provider of an  
4 electronic communications service or a remote computing service  
5 made on or after the effective date of this Act.

6       SECTION 5. This Act takes effect September 1, 2025.