

1-1 By: Campbell S.B. No. 1299  
 1-2 (In the Senate - Filed February 14, 2025; February 28, 2025,  
 1-3 read first time and referred to Committee on Business & Commerce;  
 1-4 April 9, 2025, reported favorably by the following vote: Yeas 10,  
 1-5 Nays 0; April 9, 2025, sent to printer.)

1-6 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7  |     |     |        |     |
| 1-8  | X   |     |        |     |
| 1-9  |     |     | X      |     |
| 1-10 | X   |     |        |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |
| 1-17 | X   |     |        |     |
| 1-18 | X   |     |        |     |

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the prohibited release by a public agency of personal  
 1-22 affiliation information regarding the members, supporters, or  
 1-23 volunteers of or donors to certain nonprofit organizations;  
 1-24 creating a criminal offense.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subtitle Z, Title 10, Government Code, is  
 1-27 amended by adding Chapter 3001 to read as follows:

1-28 CHAPTER 3001. GOVERNMENTAL ACTION RELATED TO PERSONAL AFFILIATION  
 1-29 INFORMATION

1-30 Sec. 3001.001. DEFINITIONS. In this chapter:

1-31 (1) "Nonprofit organization" means an entity that is  
 1-32 exempt from federal income tax under Section 501(a), Internal  
 1-33 Revenue Code of 1986, by being listed as an exempt entity under  
 1-34 Section 501(c) of that code, has submitted an application with the  
 1-35 Internal Revenue Service for recognition of an exemption under  
 1-36 Section 501(c) of that code, or is a nonprofit corporation or  
 1-37 association organized or formed under the laws of this state or  
 1-38 another state.

1-39 (2) "Personal affiliation information" means a list,  
 1-40 record, registry, roster, or other compilation of any data that  
 1-41 directly or indirectly identifies a person as a member, supporter,  
 1-42 or volunteer of, or a donor of financial or nonfinancial support to,  
 1-43 a nonprofit organization.

1-44 (3) "Public agency" means a state or local  
 1-45 governmental unit:

1-46 (A) including:

1-47 (i) this state or a department, agency,  
 1-48 office, commission, board, division, or other entity of this state  
 1-49 in the executive branch of state government;

1-50 (ii) any state or local court or other  
 1-51 judicial or quasi-judicial body in the judicial branch of state  
 1-52 government; and

1-53 (iii) a political subdivision of this  
 1-54 state, including a county, municipality, school district,  
 1-55 community college district, or any other local governmental unit,  
 1-56 agency, authority, council, board, or commission; and

1-57 (B) not including an institution of higher  
 1-58 education, as defined by Section 61.003, Education Code.

1-59 Sec. 3001.002. PROTECTED PERSONAL AFFILIATION INFORMATION.

1-60 (a) Notwithstanding any other law except Section 3001.003, a  
 1-61 public agency or an officer or employee of a public agency may not:

2-1                   (1) require an individual or a nonprofit organization  
2-2 to provide personal affiliation information to the agency or  
2-3 otherwise compel the release of personal affiliation information;  
2-4                   (2) release, publicize, or otherwise publicly  
2-5 disclose personal affiliation information in the agency's  
2-6 possession; or  
2-7                   (3) request or require a current or prospective  
2-8 contractor with or grantee of the agency to provide to the agency a  
2-9 list of nonprofit organizations to which the current or prospective  
2-10 contractor or grantee has provided financial or nonfinancial  
2-11 support.  
2-12                   (b) Personal affiliation information is excepted from  
2-13 release under Chapter 552.  
2-14                   Sec. 3001.003. EXCEPTIONS. Section 3001.002 does not apply  
2-15 to:  
2-16                   (1) personal affiliation information a public agency  
2-17 releases that was voluntarily released to the public by the person  
2-18 or nonprofit organization to which the information relates;  
2-19                   (2) personal affiliation information included in a  
2-20 report required to be filed under Title 15, Election Code, under a  
2-21 rule of the Texas Ethics Commission, or by a person required to  
2-22 register as a lobbyist under Chapter 305;  
2-23                   (3) a warrant or subpoena for personal affiliation  
2-24 information issued by a court of competent jurisdiction in this  
2-25 state;  
2-26                   (4) a request for discovery of personal affiliation  
2-27 information in an action brought in a court of competent  
2-28 jurisdiction in this state if the requestor:  
2-29                   (A) demonstrates by clear and convincing  
2-30 evidence a compelling need for the information; and  
2-31                   (B) obtains a protective order barring release of  
2-32 the information to any person not named in the action;  
2-33                   (5) personal affiliation information admitted as  
2-34 relevant evidence in an action before a court of competent  
2-35 jurisdiction in this state, provided the court does not publicly  
2-36 release the information unless the court specifically finds good  
2-37 cause for the release;  
2-38                   (6) personal affiliation information the attorney  
2-39 general obtains in an investigation conducted under Section 17.60  
2-40 or 17.61, Business & Commerce Code, Section 252.010, Business  
2-41 Organizations Code, or Subchapter B, Chapter 12, Business  
2-42 Organizations Code, provided the collected personal affiliation  
2-43 information:  
2-44                   (A) is used only in connection with the specific  
2-45 investigation related to the request and any related proceeding;  
2-46 and  
2-47                   (B) complies with Section 3001.002(a)(2), unless  
2-48 the information's disclosure is expressly required by other law;  
2-49                   (7) personal affiliation information the attorney  
2-50 general discloses in court pleadings, submissions of evidence, or  
2-51 public communications related to a criminal proceeding or a civil  
2-52 enforcement action, provided the public communications include  
2-53 personal affiliation information only if the accused party is found  
2-54 guilty in the criminal proceeding or liable in the civil  
2-55 enforcement action;  
2-56                   (8) personal affiliation information disclosing the  
2-57 identity of the members of the governing board or a director,  
2-58 officer, registered agent, incorporator, or managerial official of  
2-59 a nonprofit organization in any report required under state law to  
2-60 be filed with the secretary of state, provided that information  
2-61 directly identifying an individual as a donor of financial support  
2-62 to a nonprofit organization may not be collected or disclosed;  
2-63                   (9) personal affiliation information obtained by a  
2-64 national securities association registered under Section 15A of the  
2-65 Securities Exchange Act of 1934 (15 U.S.C. Section 78o-3), obtained  
2-66 under regulations adopted under that Act, or provided by a national  
2-67 securities association to a state agency in accordance with that  
2-68 Act and state law;  
2-69                   (10) personal affiliation information the Texas

3-1 Department of Criminal Justice requests for a criminal history  
3-2 record information check or other security purposes in connection  
3-3 with the provision of any program or service, including volunteer  
3-4 and legal services, to an inmate, releasee, or person on community  
3-5 supervision, provided the information is used only for the criminal  
3-6 history record information check or security purposes;

3-7 (11) personal affiliation information included in  
3-8 materials submitted to the office of the governor by an applicant  
3-9 who is seeking consideration for a gubernatorial appointment,  
3-10 provided:

3-11 (A) the office does not require the applicant to  
3-12 submit a list of nonprofit organizations to which the individual  
3-13 has provided financial support; and

3-14 (B) the applicant is not prohibited from  
3-15 voluntarily providing the list; and

3-16 (12) personal affiliation information that is derived  
3-17 from an individual's donation to a nonprofit organization  
3-18 affiliated with a public agency and is required by state law, unless  
3-19 the individual submitted a request for the nonprofit organization  
3-20 to maintain the individual's anonymity.

3-21 Sec. 3001.004. CIVIL ACTION. A person who alleges a  
3-22 violation of Section 3001.002 may bring a civil action to obtain  
3-23 appropriate:

3-24 (1) injunctive relief;

3-25 (2) damages incurred by the person in an amount equal  
3-26 to:

3-27 (A) not less than \$2,500 as compensatory damages  
3-28 for injury or loss caused by each violation; or

3-29 (B) a sum not to exceed three times the amount  
3-30 described in Paragraph (A) for each intentional violation; and

3-31 (3) court costs, including reasonable attorney's and  
3-32 witness fees.

3-33 Sec. 3001.005. IMMUNITY WAIVED. A person who alleges a  
3-34 violation of Section 3001.002 may sue the public agency for the  
3-35 relief provided under Section 3001.004. Sovereign or governmental  
3-36 immunity, as applicable, is waived and abolished to the extent of  
3-37 liability for that relief.

3-38 Sec. 3001.006. CRIMINAL PENALTY. A person commits an  
3-39 offense if the person knowingly violates Section 3001.002. An  
3-40 offense under this section is a Class B misdemeanor.

3-41 SECTION 2. Chapter 3001, Government Code, as added by this  
3-42 Act, applies only to personal affiliation information released or  
3-43 disclosed on or after the effective date of this Act.

3-44 SECTION 3. This Act takes effect September 1, 2025.

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