A BILL TO BE ENTITLED

1 AN ACT

2 relating to the notice requirements of a data broker registration

3 statement and Internet website.

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

5   SECTION 1. Section 509.004, Business & Commerce Code, as

6 added by Chapter 963 (S.B. 2105), Acts of the 88th Legislature,

7 Regular Session, 2023, is amended to read as follows:

8   Sec. 509.004. NOTICE ON WEBSITE OR MOBILE APPLICATION. A

9 data broker that maintains an Internet website or mobile

10 application shall post a conspicuous notice on the website or

11 application that:

12   (1) states that the entity maintaining the website or

13 application is a data broker;

14   (2) is clear, not misleading, and readily accessible

15 by the general public, including individuals with a disability;

16 [and]

17   (3) contains language provided by rule of the

18 secretary of state for inclusion in the notice; and

19   (4) informs a consumer how to exercise any consumer

20 rights the consumer may have under Chapter 541.

21   SECTION 2. Section 509.005(b), Business & Commerce Code, as

22 added by Chapter 963 (S.B. 2105), Acts of the 88th Legislature,

23 Regular Session, 2023, is amended to read as follows:

24   (b) The registration statement must include:

1   (1) the legal name of the data broker;

2   (2) a contact person and the primary physical address,

3 e-mail address, telephone number, and Internet website address for

4 the data broker;

5   (2-a) a link to a page on the data broker's Internet

6 website that provides consumers with specific instructions, which

7 must be prominently displayed, on how to exercise their consumer

8 rights under Section 541.051, and any other applicable data privacy

9 rights under Chapter 541;

10   (3) a description of the categories of data the data

11 broker processes and transfers;

12   (4) a statement of whether or not the data broker

13 implements a purchaser credentialing process;

14   (5) if the data broker has actual knowledge that the

15 data broker possesses personal data of a known child:

16   (A) a statement detailing the data collection

17 practices, databases, sales activities, and opt-out policies that

18 are applicable to the personal data of a known child; and

19   (B) a statement on how the data broker complies

20 with applicable federal and state law regarding the collection,

21 use, or disclosure of personal data from and about a child on the

22 Internet; and

23   (6) the number of security breaches the data broker

24 has experienced during the year immediately preceding the year in

25 which the registration is filed, and if known, the total number of

26 consumers affected by each breach.

27   SECTION 3. Section 509.005(b), Business & Commerce Code, as

1 amended by this Act, applies only to a registration statement

2 submitted on or after the effective date of this Act.

3 SECTION 4. It is the intent of the 89th Legislature, Regular

4 Session, 2025, that the amendments made by this Act to Sections

5 509.004 and 509.005(b), Business & Commerce Code, be harmonized

6 with another Act of the 89th Legislature, Regular Session, 2025,

7 relating to nonsubstantive additions to and corrections in enacted

8 codes.

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