

1-1 By: Hughes S.B. No. 1860  
1-2 (In the Senate - Filed March 4, 2025; March 17, 2025, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 April 7, 2025, reported favorably by the following vote: Yeas 10,  
1-5 Nays 0; April 7, 2025, sent to printer.)

1-6	COMMITTEE VOTE				
1-7		Yea	Nay	Absent	PNV
1-8	Hughes	X			
1-9	Paxton	X			
1-10	Bettencourt	X			
1-11	Birdwell	X			
1-12	Hall	X			
1-13	Hinojosa of Nueces	X			
1-14	Middleton	X			
1-15	Parker	X			
1-16	Perry			X	
1-17	Schwertner	X			
1-18	Zaffirini	X			

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

1-21 relating to the applicability of laws protecting minors from  
1-22 harmful material on digital services.  
1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-24 SECTION 1. Section [509.002\(b\)](#), Business & Commerce Code, as  
1-25 added by Chapter 795 (H.B. 18), Acts of the 88th Legislature,  
1-26 Regular Session, 2023, is amended to read as follows:  
1-27 (b) This chapter does not apply to:  
1-28 (1) a state agency or a political subdivision of this  
1-29 state;  
1-30 (2) a financial institution or data subject to Title  
1-31 V, Gramm-Leach-Bliley Act (15 U.S.C. Section 6801 et seq.);  
1-32 (3) a covered entity or business associate governed by  
1-33 the privacy, security, and breach notification rules issued by the  
1-34 United States Department of Health and Human Services, 45 C.F.R.  
1-35 Parts 160 and 164, established under the Health Insurance  
1-36 Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d  
1-37 et seq.), and the Health Information Technology for Economic and  
1-38 Clinical Health Act (Division A, Title XIII, and Division B, Title  
1-39 IV, Pub. L. No. 111-5);  
1-40 (4) a small business as defined by the United States  
1-41 Small Business Administration on September 1, 2024;  
1-42 (5) an institution of higher education or a private  
1-43 school, as that term is defined by Section [5.001](#), Education Code;  
1-44 (6) a digital service provider who processes or  
1-45 maintains user data in connection with the employment, promotion,  
1-46 reassignment, or retention of the user as an employee or  
1-47 independent contractor, to the extent that the user's data is  
1-48 processed or maintained for that purpose;  
1-49 (7) an operator or provider regulated by Subchapter [D](#),  
1-50 Chapter [32](#), Education Code, that primarily provides education  
1-51 services to students or educational institutions;  
1-52 (8) a person subject to the Family Educational Rights  
1-53 and Privacy Act of 1974 (20 U.S.C. Section 1232g) that:  
1-54 (A) operates a digital service; and  
1-55 (B) primarily provides education services to  
1-56 students or educational institutions;  
1-57 (9) a digital service provider's provision of a  
1-58 digital service that facilitates e-mail or direct messaging  
1-59 services, if the digital service facilitates only those services;  
1-60 or  
1-61 (10) a digital service provider's provision of a

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