

By: Johnson

S.B. No. 2121

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain business entities that act as data brokers.

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

SECTION 1. Section 509.001(4), Business & Commerce Code, as added by Chapter 963 (S.B. 2105), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(4) "Data broker" means a business entity that collects, processes, or transfers ~~[whose principal source of revenue is derived from the collecting, processing, or transferring of]~~ personal data that the business entity did not collect directly from the individual linked or linkable to the data.

SECTION 2. Section 509.003(a), Business & Commerce Code, as added by Chapter 963 (S.B. 2105), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:

(a) Except as provided by Subsection (b), this chapter applies only to a data broker that, in a 12-month period, derives:

(1) more than 50 percent of the data broker's revenue from processing or transferring personal data ~~[that the data broker did]~~ not collected by the data broker ~~[collect]~~ directly from the individuals to whom the data pertains; or

(2) revenue from processing or transferring the personal data of more than 50,000 individuals ~~[that the data broker did]~~ not collected by the data broker ~~[collect]~~ directly from the

1 individuals to whom the data pertains.

2 SECTION 3. It is the intent of the 89th Legislature, Regular
3 Session, 2025, that the amendments made by this Act be harmonized
4 with another Act of the 89th Legislature, Regular Session, 2025,
5 relating to nonsubstantive additions to and corrections in enacted
6 codes.

7 SECTION 4. This Act takes effect September 1, 2025.