

By: Creighton

S.B. No. 2459

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the protection of personal identifying information of
3 certain persons in the judicial system; creating a criminal
4 offense.

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

6 SECTION 1. The heading to Subtitle H, Title 2, Government
7 Code, is amended to read as follows:

SUBTITLE H. INFORMATION RESOURCES AND PRIVACY

9 SECTION 2. Subtitle H, Title 2, Government Code, is amended
10 by adding Chapter 92 to read as follows:

CHAPTER 92. PROTECTION OF PERSONAL IDENTIFYING INFORMATION OF

AT-RISK INDIVIDUALS COLLECTED AND STORED BY DATA BROKERS AND OTHER

PERSONS

Sec. 92.001. DEFINITIONS. In this chapter:

(1) "At-risk individual" means:

(A) a judge, as defined by Section 33.001;

(B) a court clerk; and

(C) an employee of a state court, a court clerk,

19 the office, or another agency in the judicial branch of state
20 government.

(3) "Covered information":

(A) means:

(i) a home address, including primary and

(ii) a home or personal telephone number,
telephone number;

(iii) an e-mail address;

(iv) a social security number or driver's

10 (v) bank account, credit card, or debit
11 card information;

(vi) a license plate number or other unique
e owned, leased, or regularly used;

14 (vii) the identity of a child younger than
15 18 years of age;

18 future school or day care attendance, including the name or address
19 of the school or day care, schedules of attendance, or routes taken
20 to or from the school or day care;

(A) is engaged in the business of:

19 (iv) providing publicly available
20 information using real-time or near real-time alert services for
21 health or safety purposes; or

22 (v) collecting and selling or licensing
23 covered information incidental to conducting the activities
24 described by this subdivision; or

25 (B) is engaged in business as:

1 Act (15 U.S.C. Section 1681 et seq.).

18 (8) "State court" means:

19 (A) the supreme court or the court of criminal
20 appeals;

21 (B) an appellate court, district court, or
22 division of the business court;

25 (D) a justice court; or

26 (E) a municipal court.

27 Sec. 92.002. DATA BROKER PROHIBITIONS. Notwithstanding any

1 other law, a data broker may not knowingly sell, license, trade for
2 consideration, transfer, or purchase covered information of an
3 at-risk individual or an immediate family member of the individual.

4 Sec. 92.003. PROHIBITION ON BUSINESSES AND OTHER PERSONS.

5 (a) Except as provided by Subsection (b), a person may not publicly
6 post or display on a publicly accessible Internet website covered
7 information of an at-risk individual or an immediate family member
8 of the individual if the at-risk individual, or the office, acting
9 on the individual's behalf, submits a written request to that
10 person not to disclose or acquire the covered information that is
11 the subject of the request.

12 (b) Subsection (a) does not apply to:

13 (1) covered information of an at-risk individual or an
14 immediate family member of the individual displayed on a publicly
15 accessible Internet website if the information is relevant to and
16 displayed as part of a news story, commentary, editorial, or other
17 speech on a matter of public concern;

18 (2) covered information that an at-risk individual
19 voluntarily posts on the Internet; or

20 (3) covered information received from a governmental
21 entity or an employee or agent of a governmental entity.

22 Sec. 92.004. REQUIRED CONDUCT. After receiving a written
23 request under Section 92.003, a person, including a data broker,
24 shall:

25 (1) not later than 72 hours after receipt of the
26 request:

27 (A) remove from the Internet website the covered

1 information identified in the request;

2 (B) ensure the information is not made available
3 on any other publicly accessible Internet website or subsidiary
4 website the person controls; and

5 (C) identify any other instances of the
6 information that should be removed; and

7 (2) assist the sender in locating the covered
8 information that may be posted on any publicly accessible Internet
9 website or subsidiary website controlled by the person.

10 Sec. 92.005. OFFICE PROCEDURES. The judicial security
11 division of the office shall develop a process by which an at-risk
12 individual can file a written request with the director of the
13 office to notify a data broker or other person, on the at-risk
14 individual's behalf, of a written request submitted by the
15 individual to remove covered information posted or displayed by the
16 person on a publicly accessible Internet website.

17 Sec. 92.006. TRANSFER. (a) Except as provided by
18 Subsection (b), after receiving a written request under Section
19 92.003, the person may not transfer the covered information to any
20 other person through any medium.

21 (b) Subsection (a) does not apply to:

22 (1) the transfer of the covered information that is
23 relevant to and displayed as part of a news story, commentary,
24 editorial, or other speech on a matter of public concern;

25 (2) covered information the at-risk individual or the
26 immediate family member of the individual voluntarily posts on the
27 Internet; or

(3) a transfer of the covered information:

(A) at the request of the at-risk individual; or

(B) as necessary to produce a request to the

person from the at-risk individual.

5 Sec. 92.007. CIVIL REMEDIES. (a) If the covered
6 information of an at-risk individual or an immediate family member
7 of the individual is made public as a result of a violation of this
8 chapter, the at-risk individual or the individual's designee may
9 bring an action in a court seeking injunctive or declaratory
10 relief.

11 (b) If the plaintiff prevails in an action brought under
12 Subsection (a), the court, in addition to issuing an order for
13 injunctive or declaratory relief, may:

20 Sec. 92.008. CRIMINAL OFFENSE. (a) A person commits an
21 offense if the person intentionally posts covered information of an
22 at-risk individual or an immediate family member of the individual
23 on a publicly accessible Internet website without first obtaining
24 the consent of the individual whose information was posted and:

1 (2) under the circumstances, harm to or harassment of
2 the at-risk individual or immediate family member is a probable
3 consequence of the posting of the information.

4 (b) For purposes of Subsection (a), it is prima facie
5 evidence of the intent to cause or threaten to cause harm to or
6 harassment of an at-risk individual or a member of the individual's
7 immediate family if the person:

8 (1) receives a written request not to disclose the
9 covered information for safety reasons; and

10 (2) either:

11 (A) fails to remove the covered information from
12 the Internet website not later than 48 hours after receiving the
13 request; or

14 (B) before the fourth anniversary of the date the
15 business receives the request, the person reposts the covered
16 information on the same Internet website or another publicly
17 accessible Internet website or makes the information publicly
18 available through another medium.

19 (c) An offense under this section is a Class B misdemeanor,
20 except that the offense is a Class A misdemeanor if the offense
21 results in the bodily injury of:

22 (1) the at-risk individual whose covered information
23 was posted on the Internet website; or

24 (2) an immediate family member of the individual.

25 SECTION 3. Chapter 92, Government Code, as added by this
26 Act, applies only to information posted on an Internet website on or
27 after the effective date of this Act.

S.B. No. 2459

1 SECTION 4. It is the intent of the 89th Legislature, Regular
2 Session, 2025, that the amendments made by this Act to Section
3 92.001(4), Government Code, be harmonized with another Act of the
4 89th Legislature, Regular Session, 2025, relating to
5 nonsubstantive additions to and corrections in enacted codes.

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