

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative DuBose offered the following:

Amendment (with title amendment)

Remove lines 92-131 and insert:

identifier or biometric information without the written or
electronic consent of the subject of the biometric identifier or
biometric information or the subject's legally authorized
representative.

(d) A private entity in possession of a biometric
identifier or biometric information may not disclose or
otherwise disseminate a person's or a customer's biometric
identifier or biometric information unless:

1. The subject of the biometric identifier or biometric
information or the subject's legally authorized representative
consents to the disclosure;

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17 2. The disclosure completes a financial transaction
18 requested or authorized by the subject of the biometric
19 identifier or the biometric information or the subject's legally
20 authorized representative;

21 3. The disclosure is required by state or federal law or
22 local ordinance; or

23 4. The disclosure is required pursuant to a valid warrant
24 or subpoena issued by a court of competent jurisdiction.

25 (e) A private entity in possession of a biometric
26 identifier or biometric information shall store, transmit, and
27 protect from disclosure all biometric identifiers and biometric
28 information:

29 1. Using the reasonable standard of care within the
30 private entity's industry; and

31 2. In a manner that is the same as or more protective than
32 the manner in which the private entity stores, transmits, and
33 protects other confidential and sensitive information.

34 (4) CONSTRUCTION.-This section may not be construed to:

35
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T I T L E A M E N D M E N T

37 Remove lines 7-8 and insert:
38
39 and biometric information; providing