1   AN ACT

2   relating to the notification of individuals following a breach of

3   security of computerized data.

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

5   SECTION 1. Subsections (b-1) and (e), Section 521.053,

6   Business & Commerce Code, are amended to read as follows:

7   (b-1) If [Notwithstanding Subsection (b), the requirements

8   of Subsection (b) apply only if] the individual whose sensitive

9   personal information was or is reasonably believed to have been

10   acquired by an unauthorized person is a resident [of this state or

11   another state that does not require a person described by

12   Subsection (b) to notify the individual of a breach of system

13   security. If the individual is a resident] of a state that

14   requires a person described by Subsection (b) to provide notice of a

15   breach of system security, the notice of the breach of system

16   security required under Subsection (b) may be provided under that

17   state's law or under [satisfies the requirements of] Subsection

18   (b).

19   (e) A person may give notice as required by Subsection (b)

20   or (c) by providing:

21   (1) written notice at the last known address of the

22   individual;

23   (2) electronic notice, if the notice is provided in

24   accordance with 15 U.S.C. Section 7001; or

1   (3) notice as provided by Subsection (f).

2   SECTION 2. This Act takes effect immediately if it receives

3 a vote of two-thirds of all the members elected to each house, as

4 provided by Section 39, Article III, Texas Constitution. If this

5 Act does not receive the vote necessary for immediate effect, this

6 Act takes effect September 1, 2013._____

_____   _____
President of the Senate   Speaker of the House

     I hereby certify that S.B. No. 1610 passed the Senate on

April 25, 2013, by the following vote: Yeas 30, Nays 0; and that

the Senate concurred in House amendment on May 25, 2013, by the

following vote: Yeas 30, Nays 0._____

_____
Secretary of the Senate

     I hereby certify that S.B. No. 1610 passed the House, with

amendment, on May 22, 2013, by the following vote: Yeas 148,

Nays 0, two present not voting._____

_____
Chief Clerk of the House

Approved:

__14 JUNE '13__
Date

_____
Governor

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