

1-1 By: Campbell S.B. No. 1299  
1-2 (In the Senate - Filed February 14, 2025; February 28, 2025,  
1-3 read first time and referred to Committee on Business & Commerce;  
1-4 April 9, 2025, reported favorably by the following vote: Yeas 10,  
1-5 Nays 0; April 9, 2025, sent to printer.)

1-6	COMMITTEE VOTE			
1-7		Yea	Nay	Absent
1-8	Schwertner	X		
1-9	King			X
1-10	Blanco	X		
1-11	Campbell	X		
1-12	Creighton	X		
1-13	Johnson	X		
1-14	Kolkhorst	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Nichols	X		
1-18	Zaffirini	X		

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

1-21 relating to the prohibited release by a public agency of personal  
1-22 affiliation information regarding the members, supporters, or  
1-23 volunteers of or donors to certain nonprofit organizations;  
1-24 creating a criminal offense.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subtitle Z, Title 10, Government Code, is  
1-27 amended by adding Chapter 3001 to read as follows:

1-28 CHAPTER 3001. GOVERNMENTAL ACTION RELATED TO PERSONAL AFFILIATION  
1-29 INFORMATION

1-30 Sec. 3001.001. DEFINITIONS. In this chapter:

1-31 (1) "Nonprofit organization" means an entity that is  
1-32 exempt from federal income tax under Section 501(a), Internal  
1-33 Revenue Code of 1986, by being listed as an exempt entity under  
1-34 Section 501(c) of that code, has submitted an application with the  
1-35 Internal Revenue Service for recognition of an exemption under  
1-36 Section 501(c) of that code, or is a nonprofit corporation or  
1-37 association organized or formed under the laws of this state or  
1-38 another state.

1-39 (2) "Personal affiliation information" means a list,  
1-40 record, registry, roster, or other compilation of any data that  
1-41 directly or indirectly identifies a person as a member, supporter,  
1-42 or volunteer of, or a donor of financial or nonfinancial support to,  
1-43 a nonprofit organization.

1-44 (3) "Public agency" means a state or local  
1-45 governmental unit:

1-46 (A) including:

1-47 (i) this state or a department, agency,  
1-48 office, commission, board, division, or other entity of this state  
1-49 in the executive branch of state government;

1-50 (ii) any state or local court or other  
1-51 judicial or quasi-judicial body in the judicial branch of state  
1-52 government; and

1-53 (iii) a political subdivision of this  
1-54 state, including a county, municipality, school district,  
1-55 community college district, or any other local governmental unit,  
1-56 agency, authority, council, board, or commission; and

1-57 (B) not including an institution of higher  
1-58 education, as defined by Section 61.003, Education Code.

1-59 Sec. 3001.002. PROTECTED PERSONAL AFFILIATION INFORMATION.

1-60 (a) Notwithstanding any other law except Section 3001.003, a  
1-61 public agency or an officer or employee of a public agency may not:

(1) require an individual or a nonprofit organization to provide personal affiliation information to the agency or otherwise compel the release of personal affiliation information;

(2) release, publicize, or otherwise publicly disclose personal affiliation information in the agency's possession; or

(3) request or require a current or prospective contractor with or grantee of the agency to provide to the agency a list of nonprofit organizations to which the current or prospective contractor or grantee has provided financial or nonfinancial support.

(b) Personal affiliation information is excepted from release under Chapter 552.

Sec. 3001.003. EXCEPTIONS. Section 3001.002 does not apply to:

(1) personal affiliation information a public agency releases that was voluntarily released to the public by the person or nonprofit organization to which the information relates;

(2) personal affiliation information included in a report required to be filed under Title 15, Election Code, under a rule of the Texas Ethics Commission, or by a person required to register as a lobbyist under Chapter 305;

(3) a warrant or subpoena for personal affiliation information issued by a court of competent jurisdiction in this state;

(4) a request for discovery of personal affiliation information in an action brought in a court of competent jurisdiction in this state if the requestor:

(A) demonstrates by clear and convincing evidence a compelling need for the information; and

(B) obtains a protective order barring release of the information to any person not named in the action;

(5) personal affiliation information admitted as relevant evidence in an action before a court of competent jurisdiction in this state, provided the court does not publicly release the information unless the court specifically finds good cause for the release;

(6) personal affiliation information the attorney general obtains in an investigation conducted under Section 17.60 or 17.61, Business & Commerce Code, Section 252.010, Business Organizations Code, or Subchapter B, Chapter 12, Business Organizations Code, provided the collected personal affiliation information:

(A) is used only in connection with the specific investigation related to the request and any related proceeding; and

(B) complies with Section 3001.002(a)(2), unless the information's disclosure is expressly required by other law;

(7) personal affiliation information the attorney general discloses in court pleadings, submissions of evidence, or public communications related to a criminal proceeding or a civil enforcement action, provided the public communications include personal affiliation information only if the accused party is found guilty in the criminal proceeding or liable in the civil enforcement action;

(8) personal affiliation information disclosing the identity of the members of the governing board or a director, officer, registered agent, incorporator, or managerial official of a nonprofit organization in any report required under state law to be filed with the secretary of state, provided that information directly identifying an individual as a donor of financial support to a nonprofit organization may not be collected or disclosed;

(9) personal affiliation information obtained by a national securities association registered under Section 15A of the Securities Exchange Act of 1934 (15 U.S.C. Section 78o-3), obtained under regulations adopted under that Act, or provided by a national securities association to a state agency in accordance with that Act and state law;

(10) personal affiliation information the Texas

Department of Criminal Justice requests for a criminal history record information check or other security purposes in connection with the provision of any program or service, including volunteer and legal services, to an inmate, releasee, or person on community supervision, provided the information is used only for the criminal history record information check or security purposes;

(11) personal affiliation information included in materials submitted to the office of the governor by an applicant who is seeking consideration for a gubernatorial appointment, provided:

(A) the office does not require the applicant to submit a list of nonprofit organizations to which the individual has provided financial support; and

(B) the applicant is not prohibited from voluntarily providing the list; and

(12) personal affiliation information that is derived from an individual's donation to a nonprofit organization affiliated with a public agency and is required by state law, unless the individual submitted a request for the nonprofit organization to maintain the individual's anonymity.

Sec. 3001.004. CIVIL ACTION. A person who alleges a violation of Section 3001.002 may bring a civil action to obtain appropriate:

(1) injunctive relief;

(2) damages incurred by the person in an amount equal to:

(A) not less than \$2,500 as compensatory damages for injury or loss caused by each violation; or

(B) a sum not to exceed three times the amount described in Paragraph (A) for each intentional violation; and

(3) court costs, including reasonable attorney's and witness fees.

Sec. 3001.005. IMMUNITY WAIVED. A person who alleges a violation of Section 3001.002 may sue the public agency for the relief provided under Section 3001.004. Sovereign or governmental immunity, as applicable, is waived and abolished to the extent of liability for that relief.

Sec. 3001.006. CRIMINAL PENALTY. A person commits an offense if the person knowingly violates Section 3001.002. An offense under this section is a Class B misdemeanor.

SECTION 2. Chapter 3001, Government Code, as added by this Act, applies only to personal affiliation information released or disclosed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2025.

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