

Amend Floor Amendment No. 134 (page 413, prefiled amendment packet) by Phillips to **CSSB 1** (house committee report) by adding a new Section ____ 02 and renumbering additional sections accordingly as follows:

SECTION ____ .02. Section 521.126, Transportation Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e) The prohibition provided by Subsection (b) ~~[(b)(1)]~~ does not apply to a financial institution or a business that accesses or uses electronically readable information or compiles or maintains a database of that information if:

(1) the information is accessed and used [only] for purposes of identification verification of an individual or check verification at the point of sale for a purchase of a good or service by check;

(2) the information is accessed and used as part of a transaction initiated by the license or certificate holder to provide information to a check verification entity as defined by Section 523.052, Business and Commerce Code, and governed by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), for the purpose of screening transactions for fraudulent activity and identity theft and effecting, administering, or enforcing the transaction, provided that the electronically readable information is limited to the licensee's name, drivers license number, address, and date of birth; or

(3) in the case of ~~[- The prohibition provided by Subsection (b)(2) does not apply to]~~ a financial institution, ~~[if]~~ each license or certificate holder whose information is included in the compilation or database consents to the inclusion of the person's information in the compilation or database ~~[- Consent under this subsection must be]~~ on a separate document, signed by the license or certificate holder, that explains in at least 14-point bold type the information that will be included in the compilation or database. ~~[For the purposes of this subsection, "financial institution" has the meaning assigned by 31 U.S.C. Section 5312(a)(2), as amended.]~~

(f) For the purposes of this section, "financial

institution" has the meaning assigned by 31 U.S.C. Section 5312(a)(2).