

**SUBJECT:** Expanding financial institutions' exemption concerning biometric data

**COMMITTEE:** Pensions, Investments and Financial Services — favorable, without amendment

**VOTE:** 11 ayes — Murphy, Vo, Capriglione, Flynn, Gervin-Hawkins, Gutierrez, Lambert, Leach, Longoria, Stephenson, Wu  
0 nays

**WITNESSES:** For — Brendon Tavelli, JPMorgan Chase & Co.; (*Registered, but did not testify*: Jack Roberts, Bank of America; J. McCartt, Capital One Bank; Melodie Durst, Credit Union Coalition of Texas; Jay Propes, Fidelity Investments; Meredyth Fowler, Independent Bankers Association of Texas; David Emerick, JPMorgan Chase & Co.; Celeste Embrey, Texas Bankers Association; John Fleming, Texas Mortgage Bankers Association; Cathy DeWitt, USAA; Brandy Marquez, Wells Fargo)  
  
Against — None

**BACKGROUND:** Business and Commerce Code sec. 503.001 prohibits the capture and use of biometric identifiers for commercial purposes without a person's consent, except voiceprint data, which may be retained by a financial institution or affiliate of a financial institution.  
  
15 U.S.C. secs. 6801-6809, part of the federal Gramm-Leach-Bliley Act, regulates personal information collected by financial institutions.

**DIGEST:** HB 2282 would expand the exemption in state law allowing voiceprint data to be retained by a financial institution or one of its affiliates to a general exemption from restrictions on the capture or use of biometric identifiers, subject to the privacy requirements of the Gramm-Leach-Bliley Act.  
  
The bill would take effect September 1, 2019.