

BILL ANALYSIS

C.S.H.B. 3743
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Because of the COVID-19 pandemic, a growing number of students rely on video-teleconferencing (VTC) platforms for online school. With this increased reliance on VTC platforms, there has been a reported increase in the number of VTC hijacking, also called "Zoom-bombing." In several instances, there have been reports of the individuals behind these attacks distributing pornographic or violent images and using threatening language. C.S.H.B. 3743 seeks to address this issue by requiring school districts to adopt policies that protect the privacy and safety of our children.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3743 amends the Education Code to require each public school district that contracts with an outside provider to provide web services to facilitate distance learning to maintain a contractual agreement with the provider that ensures the following:

- an industry-standard base level of cybersecurity and privacy protection for students and educators; and
- compliance with all applicable state and federal law governing the confidentiality of student and educator information.

C.S.H.B. 3743 prohibits a district from retaining a recording of distance learning instruction for more than 30 days after the date the recording is made, except to comply with recording and retention laws applicable to students enrolled in special education programs. The bill makes such a recording confidential and excepts the recording from state open meetings law and disclosure under state public information law.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3743 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits provisions from the original relating to ransomware cyber attacks.