

SUBJECT: Creating a joint interim committee to study storage of biometric identifiers

COMMITTEE: Government Transparency and Operation — favorable, without amendment

VOTE: 7 ayes — Elkins, Walle, Galindo, Gonzales, Gutierrez, Leach, Scott Turner

0 nays

WITNESSES: For — (*Registered, but did not testify:* Wendy Reilly, HID Global; Sarah Matz, TechAmerica)

Against — None

BACKGROUND: According to Government Code, sec. 560.001, a “biometric identifier” means a fingerprint, a retina or iris scan, a voiceprint, or a record of hand or face geometry.

Sec. 560.002 requires a government body that has biometric identifiers to store, transmit, and protect the identifiers from disclosure using reasonable care and in a manner that is the same as or more protective than the manner in which the governmental body stores, transmits, and protects its other confidential information.

DIGEST: HB 852 would create a joint interim committee to study and review the methods by which state agencies stored biometric identifiers. The bill would require the study to consider:

- the level of security provided by state agencies in storing biometric identifiers;
- any changes agencies should make to ensure the biometric identifiers were stored securely; and
- whether increased security was necessary and, if so, whether additional funds were necessary to increase security.

The committee conducting the study would consist of three senators appointed by the lieutenant governor and four members of the House of Representatives appointed by the speaker. One senator and one representative each would be designated co-chair. The committee would be appointed no later than 60 days after the bill took effect. The Texas Legislative Council would be required to provide any necessary staff and resources to the committee.

The bill would require the committee to meet at least twice as called by the co-chairs and to produce a report of the committee's findings and recommendations to the Legislature by December 1, 2016. The report would include in the committee's recommendations any specific statutory and rule changes that appeared necessary.

The bill would take effect September 1, 2015, and the committee would be abolished March 1, 2017.