

Tex. Bus. & Com. Code § 324.051

This document is current through the 2023 Regular Session; the 1st C.S.; the 2nd C.S.; the 3rd C.S. and the 4th C.S. of the 88th Legislature; and the November 7, 2023 general election results.

Texas Statutes & Codes Annotated by LexisNexis® > Business and Commerce Code > Title 10 Use of Telecommunications (Subts. A — B) > Subtitle B Electronic Communications (Chs. 321 — 328) > Chapter 324 Consumer Protection Against Computer Spyware (Subchs. A — C) > Subchapter B Prohibited Conduct or Activities (§§ 324.051 — 324.055)

Sec. 324.051. Unauthorized Collection or Culling of Personally Identifiable Information.

A person other than the owner or operator of the computer may not knowingly cause computer software to be copied to a computer in this state and use the software to:

- (1) collect personally identifiable information through intentionally deceptive means:
 - (A) by using a keystroke-logging function; or
 - (B) in a manner that correlates that information with information regarding all or substantially all of the websites visited by the owner or operator of the computer, other than websites operated by the person collecting the information; or
- (2) cull, through intentionally deceptive means, the following kinds of personally identifiable information from the consumer's computer hard drive for a purpose wholly unrelated to any of the purposes of the software or service described to an owner or operator of the computer:
 - (A) a credit or debit card number;
 - (B) a bank account number;
 - (C) a password or access code associated with a credit or debit card number or a bank account;
 - (D) a social security number;
 - (E) account balances; or
 - (F) overdraft history.

History

Enacted by Acts 2007, 80th Leg., ch. 885 (H.B. 2278), § 2.01, effective April 1, 2009.

