

HCS HB 1358 -- PASSWORD PRIVACY PROTECTION ACT (Davis)

COMMITTEE OF ORIGIN: Special Committee on Innovation and Technology

This bill prohibits employers, educational institutions, and landlords from requiring personal online account access and information as a condition of employment, enrollment in a college or university, or residency. The bill also protects personal online account users from retaliation for denying an employer, educational institution, or landlord access to nonpublic online account information. This bill does not prevent an employer, educational institution, or landlord from accessing public information, complying with other laws, or investigating allegations pertinent to an employer, educational institution, or landlord.

In the event that an employer, educational institution, or landlord inadvertently receives the authentication that provides access to the personal online account, the employer, educational institution, or landlord shall not be liable for having the information, but they shall not access the person's personal online account without express written consent or share the log-in information, unless disclosure is otherwise required by law. The employer, educational institution, or landlord shall promptly delete the log-in information, unless it is connected to a specific criminal complaint, civil action, or investigation. The bill also contains a civil suit provision with an aggrieved individual being entitled to actual damages.

This bill is similar to SCS SB 316 (2017).