

AN ACT

1 Amending the act of December 22, 2005 (P.L.474, No.94), entitled
2 "An act providing for the notification of residents whose
3 personal information data was or may have been disclosed due
4 to a security system breach; and imposing penalties," further
5 providing for notification of breach.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3 of the act of December 22, 2005
9 (P.L.474, No.94), known as the Breach of Personal Information
10 Notification Act, is amended by adding subsections to read:

11 Section 3. Notification of breach.

12 * * *

13 (a.1) Notification by State agency.--If a State agency is
14 the subject of a breach of security of the system, the State
15 agency shall provide notice of the breach of security of the
16 system required under subsection (a) within seven days following
17 discovery of the breach. Notification shall be provided to the
18 Office of Attorney General within three business days following
19 discovery of the breach. A State agency under the Governor's

1 jurisdiction shall also provide notice of a breach of security
2 of the system to the Governor's Office of Administration within
3 three business days following the discovery of the breach.
4 Notification shall occur regardless of the existence of
5 procedures and policies under section 7.

6 (a.2) Notification by county, school district or
7 municipality.--If a county, school district or municipality is
8 the subject of a breach of security of the system, the county,
9 school district or municipality shall provide notice of the
10 breach of security of the system required under subsection (a)
11 within seven days following discovery of the breach.
12 Notification shall be provided to the district attorney in the
13 county that the breach occurred within three business days
14 following the discovery of the breach. Notification shall occur
15 regardless of the existence of procedures and policies under
16 section 7.

17 (a.3) Storage policy.--

18 (1) The Governor's Office of Administration shall
19 develop a policy to govern the proper storage by State
20 agencies under the Governor's jurisdiction of data that
21 includes personally identifiable information. As permitted by
22 Federal or State law or regulation, the policy shall address
23 identifying, collecting, maintaining, displaying and
24 transferring personally identifiable information, using
25 personally identifiable information in test environments,
26 remediating personally identifiable information stored on
27 legacy systems and other relevant issues. A goal of the
28 policy shall be to reduce the risk of future breaches of
29 security of the system.

30 (2) In developing the policy under paragraph (1), the

1 Governor's Office of Administration shall consider Federal
2 and State law, regulation or both, similar existing policies
3 in other states, best practices identified by other states
4 and relevant studies and other sources as appropriate. The
5 policy shall be reviewed at least annually and updated as
6 necessary.

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8 Section 2. This act shall take effect in 60 days.