THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 662 Session of 2019

INTRODUCED BY MURT, RYAN, KINSEY, HILL-EVANS, SCHLOSSBERG, MILLARD, FREEMAN, SCHWEYER, KAUFER AND SIMS, MARCH 1, 2019

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 1, 2019

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

jurisdiction shall also provide notice of a breach of security

of the system to the Governor's Office of Administration within

three business days following the discovery of the breach.

Notification shall occur regardless of the existence of

procedures and policies under section 7.

(a.2) Notification by county, school district or

municipality.--If a county, school district or municipality is

the subject of a breach of security of the system, the county,

school district or municipality shall provide notice of the

breach of security of the system required under subsection (a)

within seven days following discovery of the breach.

Notification shall be provided to the district attorney in the

county that the breach occurred within three business days

following the discovery of the breach. Notification shall occur

regardless of the existence of procedures and policies under

section 7.

(a.3) Storage policy.--

(1) The Governor's Office of Administration shall

develop a policy to govern the proper storage by State

agencies under the Governor's jurisdiction of data that

includes personally identifiable information. As permitted by

Federal or State law or regulation, the policy shall address

identifying, collecting, maintaining, displaying and

transferring personally identifiable information, using

personally identifiable information in test environments,

remediating personally identifiable information stored on

legacy systems and other relevant issues. A goal of the

policy shall be to reduce the risk of future breaches of

security of the system.

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

1   <u>Governor's Office of Administration shall consider Federal</u>

2   <u>and State law, regulation or both, similar existing policies</u>

3   <u>in other states, best practices identified by other states</u>

4   <u>and relevant studies and other sources as appropriate. The</u>

5   <u>policy shall be reviewed at least annually and updated as</u>

6   <u>necessary.</u>

7   * * *

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