



ARIZONA STATE SENATE
Fifty-First Legislature, First Regular Session

AMENDED
FACT SHEET FOR H.B. 2469

personal information; encrypted data

Purpose

Requires data encryption for any state agency that owns or licenses computerized data that includes personal information stored in a database.

Background

Arizona Revised Statutes (A.R.S.) requires the Arizona Department of Administration (ADOA) to implement and maintain a coordinated statewide plan for information technology (A.R.S. 41-3504). The statewide information technology strategy is overseen by the Arizona Strategic Enterprise Technology Office (ASET) within the ADOA. The ASET homepage hosts ADOA rules regarding state information technology practices. Standard P800-S850 outlines standards and best practices for encryption of transmissions, storage and wireless networks

Full implementation of this legislation requires an appropriation from the state General Fund and will result in a fiscal impact that is not known at this time.

Provisions

1. Requires data encryption for any state agency that owns or licenses computerized data that includes personal information of any Arizona resident stored in a database, on or before five years after the effective date of this act and in accordance with the statewide information technology policy.
2. Specifies that if the data is not stored in a database, the encryption standard prescribed does not apply but best practices should be implemented to protect the data.
3. Exempts legacy database systems implemented on or before January 1, 2000.
4. Excludes information that is lawfully made available to the general public.
5. Authorizes a prosecutor in this state to bring an action to obtain actual damages for a willful and knowing violation of this section.
6. Conditions the enactment of this legislation on ADOA and the administrative office of the courts receiving appropriations for the implementation of the encryption requirements. Requires ADOA to notify the Director of Legislative Council, in writing, of this date.

7. Defines *Personal Information*.
8. Becomes effective on the general effective date or later, subject to the provisions on the conditional enactment.

Amendments Adopted by GE Committee

1. Moves legislation to A.R.S. Title 41, Chapter 32.
2. Includes definition of personal information.
3. Removes conditional repeal.

Amendments Adopted by APPROP Committee

- Modifies the conditional enactment.

House Action

TI 1/22/13 DP 4-1-0-1
3rd Read 3/11/13 33-26-1-0

Senate Action

GE 3/13/13 DPA 7-0-0-0
APPROP 3/26/13 9-0-0-0

Prepared by Senate Research
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SLL/DF/ly