

SENATE No. 179

The Commonwealth of Massachusetts

PRESENTED BY:

Eileen M. Donoghue

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the cybersecurity of the Internet of Things and other smart devices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eileen M. Donoghue</i>	<i>First Middlesex</i>	
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/27/2017</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	<i>2/1/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/2/2017</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/3/2017</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>2/3/2017</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>2/3/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/14/2017</i>

SENATE No. 179

By Ms. Donoghue, a petition (accompanied by bill, Senate, No. 179) of Eileen M. Donoghue, Tackey Chan, Jennifer L. Flanagan, Barbara A. L'Italien and other members of the General Court for legislation relative to the cybersecurity of the Internet of Things and other smart devices. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the cybersecurity of the Internet of Things and other smart devices.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 93H of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by adding the following definitions:-

3 “Internet of Things (IOT)”, a internetworking system of physical devices embedded with
4 electronics, software, sensors, unique identifiers, and network connectivity that are able to collect
5 and transfer personal information over a network without requiring human-to-human or human-
6 to-computer interaction.

7 “*IOT Personal Data*”, information collected by an IOT device relating to an individual or
8 individuals who can be identified, directly or indirectly, by reference to the IOT device’s unique
9 identifier and to one or more factors specific to that individual’s physical, physiological, mental,
10 economic, cultural or social identity.

11 SECTION 2. Section 2 of chapter 93H of the general laws, as so appearing, is hereby
12 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

13 “(a) The department of consumer affairs and business regulation shall adopt regulations
14 relative to any person that owns or licenses personal information about a resident of the
15 commonwealth, any person that manufactures any IOT device that collects personal information
16 or IOT personal data about a resident of the commonwealth, and any person that manufactures
17 any autonomous vehicle that uses or incorporates an IOT device in the vehicle that collects
18 personal information or IOT personal data about a resident of the commonwealth. Such
19 regulations shall be designed to safeguard the personal information and IOT personal data of
20 residents of the commonwealth and shall be consistent with the safeguards for protection set
21 forth in the federal regulations by which the person is regulated. The objectives of the regulations
22 shall be to: insure the security and confidentiality of customer information in a manner fully
23 consistent with industry standards; protect against anticipated threats or hazards to the security or
24 integrity of such information; and protect against unauthorized access to or use of such
25 information that may result in substantial harm or inconvenience to any consumer. The
26 regulations shall take into account the person's size, scope and type of business, the amount of
27 resources available to such person, the amount of stored data, and the need for security and
28 confidentiality of both consumer and employee information.”