

ENROLLED ACT NO. 18, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to administration of government; requiring agencies to adopt policies for data collection, access, security and use as specified; directing the state chief information officer to develop guidelines for local governments for data collection, access, security and use; providing a definition; requiring a report; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-21-101 is created to read:

CHAPTER 21
DATA POLICIES

9-21-101. Data policies.

(a) Every agency shall adopt, enforce and maintain a policy regarding the collection, access, security and use of data. The policy shall, at a minimum, comply with applicable federal and state law, adhere to standards set by the state chief information officer and include the following:

(i) An inventory and description of all data required of, collected or stored by an agency;

(ii) Authorization and authentication mechanisms for accessing the data;

(iii) Administrative, physical and logical security safeguards, including employee training and data encryption;

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(iv) Privacy and security compliance standards;

(v) Processes for identification of and response to data security incidents, including breach notification and mitigation procedures;

(vi) In accordance with existing law, processes for the destruction and communication of data.

(b) As used in this section, "agency" means any office, department, board, commission, council, institution, separate operating agency or any other operating unit of the executive branch of state government. "Agency" shall not include the state legislature, judiciary, University of Wyoming or any community college in the state.

(c) The governor, after consultation with the chief information officer, may set a date for specific agencies to comply with subsection (a) of this section and may revise that date as necessary.

Section 2. The state chief information officer, in consultation with counties, cities, towns and other political subdivisions of the state, shall develop guidelines for the collection, access, security and use of data by counties, cities, towns and other political subdivisions of the state. In developing the guidelines, the state chief information officer shall consider the mechanisms, safeguards, processes and standards specified in section 1 of this act and shall analyze the impact to the county, city, town or other political subdivision in adopting and enforcing guidelines. The state chief information officer shall report his recommended guidelines to the task force on digital information privacy no later

ORIGINAL SENATE
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than September 1, 2016. For purposes of this section, "political subdivisions" does not include any community college district or school district within the state.

Section 3. This act is effective July 1, 2016.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk