

SENATE FILE NO. SF0091

Digital information privacy-task force.

Sponsored by: Senator(s) Rothfuss, Anderson, J.D. (SD02),  
Case, Coe, Landen and Schiffer and  
Representative(s) Byrd, Filer, Greear,  
Larsen, Sommers, Teeters, Throne and Wilson

A BILL

for

1 AN ACT relating to the administration of government and  
2 privacy; creating a task force; providing for a study of  
3 privacy rights in relation to digital information  
4 technology; providing privacy related principles for the  
5 task force study; requiring a report; providing  
6 appropriations; and providing for an effective date.

7

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

9

10 **Section 1.**

11

12 (a) There is created a task force on digital  
13 information privacy consisting of the following members:

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1           (i) Two (2) members of the Wyoming senate  
2 appointed by the president of the senate, one (1) of whom  
3 shall be designated as cochairman;

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5           (ii) Two (2) members of the Wyoming house of  
6 representatives, appointed by the speaker of the house, one  
7 (1) of whom shall be designated as cochairman;

8  
9           (iii) Three (3) members appointed by the  
10 governor. One (1) of the members shall be the director of  
11 the department of enterprise technology services or the  
12 director's designee, one (1) shall be a person employed in  
13 an industry related to the digital storage for commercial  
14 purposes of individuals' personal and private information  
15 and one (1) shall be a member of the public at large who  
16 represents the interests of consumers in maintaining the  
17 privacy of digitally stored personal information.

18  
19           (b) The task force shall be staffed by the  
20 legislative service office. The University of Wyoming shall  
21 serve in an advisory capacity to the task force and shall  
22 provide technical and other relevant information as  
23 requested. State agencies shall provide information and  
24 assistance to the task force as requested. The task force

1 shall hold three (3) public meetings in three (3) different  
2 areas of the state.

3

4 (c) The task force shall study the following, as  
5 related to digital information privacy:

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7 (i) Who is considered the owner of digitally  
8 stored private information about individuals;

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10 (ii) An assessment of threats to consumers from  
11 the intentional or inadvertent compromise of digitally  
12 stored private information;

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14 (iii) Identification of how consumers might be  
15 protected from those harms by implementation of privacy  
16 protection principles through legislation, regulation or  
17 education;

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19 (iv) Any relevant judicial decisions or federal  
20 statutes that may affect privacy protection of digitally  
21 stored individual information;

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23 (v) Identification and comparison of ways to  
24 ensure that privacy protections are enforced, for example,

1 through self-regulatory initiatives, legislation,  
2 regulation or other forms of third party oversight;

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4 (vi) Other issues the task force may consider  
5 useful in encouraging appropriate safeguards for the  
6 privacy of digitally stored information, including the  
7 avoidance of duplicative or conflicting requirements.

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9 (d) In conducting its study, the task force shall  
10 consider the following policy principles:

11

12 (i) The collection of personal data should be by  
13 lawful and fair means;

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15 (ii) Personal data should be relevant to the  
16 purposes for which they are to be used, and, to the extent  
17 necessary for those purposes, should be accurate, complete  
18 and kept up-to-date;

19

20 (iii) The purposes for which personal data are  
21 collected should be specified, and data subjects should be  
22 notified directly if the data are to be used for other  
23 purposes;

24

1           (iv) Subject to legal obligations to cooperate  
2 with law enforcement authorities, personal data should not  
3 be disclosed, made available or otherwise used for purposes  
4 other than those specified;

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6           (v) Personal data should be protected by  
7 reasonable security safeguards against such risks as loss  
8 or unauthorized access, destruction, use, modification or  
9 disclosure of data;

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11           (vi) There should be a general policy of  
12 openness about developments, practices and policies with  
13 respect to entities maintaining stored personal data.  
14 Individuals should be able to easily access the privacy  
15 policies of any organization holding their personal data;

16

17           (vii) Individuals should have the right to  
18 correct any inaccurate data relating to them being held by  
19 an organization.

20

21           (e) In conducting its study the task force shall  
22 consider the interactions:

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1           (i) Between private individuals and  
2 organizations and governmental entities;

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4           (ii) Between private individuals and commercial  
5 entities;

6

7           (iii) Among governmental entities and agencies  
8 of each political subdivision involving citizen data.

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10          (f) The task force shall submit its recommendations,  
11 including proposed legislation with respect to the issues  
12 specified in subsection (c) of this section, to the joint  
13 judiciary interim committee, the joint education interim  
14 committee and the governor no later than October 1, 2014.  
15 The joint judiciary committee shall consider the  
16 recommendations and develop legislation it deems  
17 appropriate for consideration by the legislature.

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19          (g) The task force shall exist until December 31,  
20 2014. Members of the task force who are not state employees  
21 or legislators shall not receive a salary but shall receive  
22 reimbursement for mileage and per diem expenses at the rate  
23 provided for legislators under W.S. 28-5-101. Members of  
24 the task force who are legislators shall be paid salary,

1 per diem and mileage as provided in W.S. 28-5-101 for their  
2 official duties as members of the task force.

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4 (h) There is appropriated from the general fund:

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6 (i) Twenty thousand dollars (\$20,000.00) to the  
7 legislative service office for payment of salary, per diem  
8 and mileage for legislative task force members;

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10 (ii) Ten thousand dollars (\$10,000.00) to the  
11 governor's office for payment of authorized per diem and  
12 mileage for nonlegislative task force members.

13

14 **Section 2.** This act is effective immediately upon  
15 completion of all acts necessary for a bill to become law  
16 as provided by Article 4, Section 8 of the Wyoming  
17 Constitution.

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19

(END)