

ENROLLED ACT NO. 64, SENATE

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING  
2014 BUDGET SESSION

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

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

**Section 1.**

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

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

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

(iii) Four (4) members appointed by the governor. One (1) of the members shall be the director of the department of enterprise technology services or the director's designee, one (1) shall be a person employed in an industry related to the digital storage for commercial purposes of individuals' personal and private information, one (1) shall be a member of the public at large who represents the interests of consumers in maintaining the privacy of digitally stored personal information and one (1) shall be a member of the public who is a parent of a Wyoming student.

(b) For the 2014 interim period, the task force shall be staffed by the legislative service office. The University of Wyoming shall serve in an advisory capacity

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to the task force and shall provide technical and other relevant information as requested. State agencies shall provide information and assistance to the task force as requested. The task force shall hold three (3) public meetings in three (3) different areas of the state.

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

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

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

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

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

(v) Identification and comparison of ways to ensure that privacy protections are enforced, for example, through self-regulatory initiatives, legislation, regulation or other forms of third party oversight;

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

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

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

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

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

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

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

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

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

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

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

(ii) Between private individuals and commercial entities;

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

(f) The task force shall submit its recommendations, including proposed legislation with respect to the issues specified in subsection (c) of this section, to a committee designated by the management council and the governor on an interim basis no later than October 1, 2014 and October 1, 2015 with a final report no later than October 1, 2016. The first interim report due October 1, 2014, shall contain recommendations addressing issues specified in subsection (c) of this section only on a broad statewide policy level, incorporating principles specified under subsection (d) of this section. The October 1, 2014 report shall also recommend task force staffing and support for the subsequent phases of the study. The designated committee shall consider the recommendations and develop legislation it deems appropriate for consideration by the legislature.

(g) The task force shall exist until December 31, 2016. Members of the task force who are not state employees or legislators shall not receive a salary but shall receive reimbursement for mileage and per diem expenses at the rate provided for legislators under W.S. 28-5-101. Members of the task force who are legislators shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 for their official duties as members of the task force.

(h) There is appropriated from the general fund for the calendar year 2014:

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

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

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

(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