

SB0857



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0857

Introduced 2/2/2023, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

20 ILCS 450/20

Amends the Data Security on State Computers Act. Makes a technical change in a Section concerning the establishment and implementation of the Act.

LRB103 03316 RPS 48322 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Data Security on State Computers Act is
5 amended by changing Section 20 as follows:

6 (20 ILCS 450/20)

7 Sec. 20. Establishment and implementation. ~~The~~ The Data
8 Security on State Computers Act is established to protect
9 sensitive data stored on State-owned electronic data
10 processing equipment to be (i) disposed of by sale, donation,
11 or transfer or (ii) relinquished to a successor executive
12 administration. This Act shall be administered by the
13 Department or an authorized agency. The governing board of
14 each public university in this State must implement and
15 administer the provisions of this Act with respect to
16 State-owned electronic data processing equipment utilized by
17 the university. The Department or an authorized agency shall
18 implement a policy to mandate that all hard drives of surplus
19 electronic data processing equipment be erased, wiped,
20 sanitized, or destroyed in a manner that prevents retrieval of
21 sensitive data and software before being sold, donated, or
22 transferred by (i) overwriting the previously stored data on a
23 drive or a disk at least 3 times or physically destroying the

1 hard drive and (ii) certifying in writing that the overwriting
2 process has been completed by providing the following
3 information: (1) the serial number of the computer or other
4 surplus electronic data processing equipment; (2) the name of
5 the overwriting software or physical destruction process used;
6 and (3) the name, date, and signature of the person performing
7 the overwriting or destruction process. The head of each State
8 agency shall establish a system for the protection and
9 preservation of State data on State-owned electronic data
10 processing equipment necessary for the continuity of
11 government functions upon it being relinquished to a successor
12 executive administration.

13 For purposes of this Act and any other State directive
14 requiring the clearing of data and software from State-owned
15 electronic data processing equipment prior to sale, donation,
16 or transfer by the General Assembly or a public university in
17 this State, the General Assembly or the governing board of the
18 university shall have and maintain responsibility for the
19 implementation and administration of the requirements for
20 clearing State-owned electronic data processing equipment
21 utilized by the General Assembly or the university.

22 (Source: P.A. 96-45, eff. 7-15-09; 97-390, eff. 8-15-11.)