



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4408

Introduced 1/5/2006, by Rep. Naomi D. Jakobsson

SYNOPSIS AS INTRODUCED:

20 ILCS 450/20

Amends the Data Security on State Computers Act. Provides that drives or disks on State-owned electronic data processing equipment that is to be disposed of must be cleared of all data and software before being prepared for sale, donation, or transfer by following standards established by the Department of Central Management Services by rule (now, must be cleared of all data and software by (i) overwriting the previously stored data at least 10 times and (ii) certifying in writing that the overwriting process has been completed). Effective immediately.

LRB094 16774 MKM 52045 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning data security.

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 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 Department or an
14 authorized agency shall implement a policy to mandate that all
15 hard drives of surplus electronic data processing equipment be
16 cleared of all data and software before being prepared for
17 sale, donation, or transfer by following standards established
18 by the Department by rule ~~(i) overwriting the previously stored~~
19 ~~data on a drive or a disk at least 10 times and (ii) certifying~~
20 ~~in writing that the overwriting process has been completed by~~
21 ~~providing the following information: (1) the serial number of~~
22 ~~the computer or other surplus electronic data processing~~
23 ~~equipment; (2) the name of the overwriting software used; and~~
24 ~~(3) the name, date, and signature of the person performing the~~
25 ~~overwriting process.~~ The head of each State agency shall
26 establish a system for the protection and preservation of State
27 data on State-owned electronic data processing equipment
28 necessary for the continuity of government functions upon it
29 being relinquished to a successor executive administration.

30 (Source: P.A. 93-306, eff. 7-23-03.)

31 Section 99. Effective date. This Act takes effect upon
32 becoming law.