

BILL ANALYSIS

S.B. 255
By: Carona
Government Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, state agencies in Texas do not possess standardized rules pertaining to the sanitation process prior to the sale, transfer, or disposal of state computers, computer peripherals, software, or other information technology devices. As proposed, S.B. 255 directs the Department of Information Resources to prescribe standardized rules and regulations regarding this type of sanitization.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Information Resources in SECTION 1 of this bill.

ANALYSIS

SECTION 1. Amends Subchapter F, Chapter 2054, Government Code, by adding Section 2054.130, as follows:

Sec. 2054.130. REMOVAL OF DATA FROM DATA PROCESSING EQUIPMENT; RULES. (a) Requires a state agency to permanently remove data from processing equipment before disposing of or otherwise transferring equipment to an individual who is not a state agency or other agent of the state. Provides that this section applies only to equipment that will not be owned by the state after the disposal or other transfer.

(b) Requires the Department of Information Resources (department) to adopt rules to implement this section. Sets forth guidelines for the rules.

SECTION 2. Requires the department, by no later than March 1, 2006, to adopt the rules required by Section 2054.130, Government Code, as added by this Act, and provides that a state agency is not required to comply with that section until the department adopts rules.

SECTION 3. Effective date:

EFFECTIVE DATE

September 1, 2005.