

## **BILL ANALYSIS**

Senate Research Center  
82R29191 CJC-D

C.S.H.B. 3333  
By: Pena (Hegar)  
Government Organization  
5/16/2011  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Department of Information Resources occasionally detects threats to state networks that require the disconnection of network segments from each other or from the Internet. This prevents infections, intrusions, or other problems from spreading to other state agencies. The power to partially or entirely disconnect state networks is standard practice, but it is not a power explicitly provided to the governor or agencies acting on the governor's behalf.

C.S.H.B. 3333 provides the governor the authority to order the disconnection of state networks as part of emergency operations to ensure continuity of government and the protection of sensitive information.

C.S.H.B. 3333 amends current law relating to the authority of the governor to order the disconnection of state computer networks from the Internet.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 418, Government Code, by adding Section 418.0195, as follows:

Sec. 418.0195. DISCONNECTION OF STATE COMPUTER NETWORKS. (a) Provides that this section applies only to a computer network used by a state agency, or an entity other than a state agency receiving network security services from the Department of Information Resources (DIR) under Section 2059.058 (Agreement to Provide Network Security Services to Entities Other Than State Agencies).

(b) Authorizes that governor to order DIR to disconnect a computer network from the Internet in the event of a substantial external threat to the computer network.

(c) Provides that the authority granted under this section is limited to Internet connectivity services provided exclusively to an entity described in Subsection (a).

SECTION 2. Amends Subchapter C, Chapter 2059, Government Code, by adding Section 2059.1055, as follows:

Sec. 2059.1055. NETWORK SECURITY IN A STATE OF DISASTER. Requires DIR to disconnect the computer network of an entity receiving security services under this chapter from the Internet if the governor issues an order under Section 418.0195 to disconnect the network because of a substantial external threat to the entity's computer network.

SECTION 3. Effective date: September 1, 2011.