

## **BILL ANALYSIS**

Senate Research Center  
85R3523 MCK-D

S.B. 564  
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Business & Commerce  
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As Filed

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

Cybersecurity has become a critical issue in recent years, as sensitive data has been breached or hacked on both public and private websites causing the loss of critical and, sometimes, legally protected personal information.

Current statute provides only limited authority to governmental bodies to discuss security issues in closed session and does not generally apply to cybersecurity. Given the existing threats posed to sensitive data, it is essential that governmental entities have the ability to discuss security related to software and internet security in closed session meetings, as is currently given to the Texas Department of Information Resources (DIR).

S.B. 564 extends the same closed meeting protections to other government bodies that are currently given to DIR.

As proposed, S.B. 564 amends current law relating to the applicability of open meetings requirements to certain meetings of a governing body relating to information technology security practices.

### **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 Section 551.089, Government Code, as follows:

Sec. 551.089. New heading: DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING. Provides that this chapter does not require a governmental body, rather than does not require the governing board of the Department of Information Resources, to conduct an open meeting to deliberate certain topics.

SECTION 2. Amends Section 2059.055(b), Government Code, as follows:

(b) Provides that network security information is confidential under this section if the information is:

(1) related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity, rather than state agency;

(2) to (3) Makes no changes to these subdivisions.

SECTION 3. Effective date: September 1, 2017.