

By: Elkins

H.B. No. 1861

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the confidentiality of certain information related to a
3 computer security incident.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 552.139, Government Code, is amended by
6 amending Subsection (b) and adding Subsections (b-1) and (d) to
7 read as follows:

8 (b) The following information is confidential:

9 (1) a computer network vulnerability report;

10 (2) any other assessment of the extent to which data
11 processing operations, a computer, a computer program, network,
12 system, or system interface, or software of a governmental body or
13 of a contractor of a governmental body is vulnerable to
14 unauthorized access or harm, including an assessment of the extent
15 to which the governmental body's or contractor's electronically
16 stored information containing sensitive or critical information is
17 vulnerable to alteration, damage, erasure, or inappropriate use;
18 [~~and~~]

19 (3) a photocopy or other copy of an identification
20 badge issued to an official or employee of a governmental body; and

21 (4) information directly arising from a governmental
22 body's routine efforts to prevent, detect, investigate, or mitigate
23 a computer security incident, including information contained in or
24 derived from an information security log.

1 (b-1) Subsection (b)(4) does not affect the notification
2 requirements related to a breach of system security as defined by
3 Section 521.053, Business & Commerce Code.

4 (d) A state agency shall redact from a contract posted on
5 the agency's Internet website under Section 2261.253 information
6 that is made confidential by, or excepted from required public
7 disclosure under, this section. The redaction of information under
8 this subsection does not exempt the information from the
9 requirements of Section 552.021 or 552.221.

10 SECTION 2. Sections 552.139(b)(4) and (b-1), Government
11 Code, as added by this Act, apply only to a request for public
12 information received on or after the effective date of this Act. A
13 request received before the effective date of this Act is governed
14 by the law in effect when the request was received, and the former
15 law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.