

By: Elkins

H.B. No. 1861

Substitute the following for H.B. No. 1861:

By: Capriglione

C.S.H.B. No. 1861

A BILL TO BE ENTITLED

AN ACT

1  
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) Except as provided by Subsection (b-1), the [~~The~~]  
9 following information is confidential:

10 (1) a computer network vulnerability report;

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

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

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

1 derived from an information security log.

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

5 (d) A state agency shall redact from a contract posted on  
6 the agency's Internet website under Section 2261.253 information  
7 that is made confidential by, or excepted from required public  
8 disclosure under, this section. The availability of information  
9 redacted as provided by this subsection in response to a request  
10 made under this chapter is governed by this chapter.

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

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