

1-1 By: Elkins (Senate Sponsor - Watson) H.B. No. 1861
 1-2 (In the Senate - Received from the House May 1, 2017;
 1-3 May 3, 2017, read first time and referred to Committee on Business
 1-4 & Commerce; May 21, 2017, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 21, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the confidentiality of certain information related to a
 1-20 computer security incident.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 552.139, Government Code, is amended by
 1-23 amending Subsection (b) and adding Subsections (b-1) and (d) to
 1-24 read as follows:

1-25 (b) The following information is confidential:

1-26 (1) a computer network vulnerability report;

1-27 (2) any other assessment of the extent to which data
 1-28 processing operations, a computer, a computer program, network,
 1-29 system, or system interface, or software of a governmental body or
 1-30 of a contractor of a governmental body is vulnerable to
 1-31 unauthorized access or harm, including an assessment of the extent
 1-32 to which the governmental body's or contractor's electronically
 1-33 stored information containing sensitive or critical information is
 1-34 vulnerable to alteration, damage, erasure, or inappropriate use;
 1-35 [~~and~~]

1-36 (3) a photocopy or other copy of an identification
 1-37 badge issued to an official or employee of a governmental body; and

1-38 (4) information directly arising from a governmental
 1-39 body's routine efforts to prevent, detect, investigate, or mitigate
 1-40 a computer security incident, including information contained in or
 1-41 derived from an information security log.

1-42 (b-1) Subsection (b)(4) does not affect the notification
 1-43 requirements related to a breach of system security as defined by
 1-44 Section 521.053, Business & Commerce Code.

1-45 (d) A state agency shall redact from a contract posted on
 1-46 the agency's Internet website under Section 2261.253 information
 1-47 that is made confidential by, or excepted from required public
 1-48 disclosure under, this section. The redaction of information under
 1-49 this subsection does not exempt the information from the
 1-50 requirements of Section 552.021 or 552.221.

1-51 SECTION 2. Sections 552.139(b)(4) and (b-1), Government
 1-52 Code, as added by this Act, apply only to a request for public
 1-53 information received on or after the effective date of this Act. A
 1-54 request received before the effective date of this Act is governed
 1-55 by the law in effect when the request was received, and the former
 1-56 law is continued in effect for that purpose.

1-57 SECTION 3. This Act takes effect immediately if it receives
 1-58 a vote of two-thirds of all the members elected to each house, as
 1-59 provided by Section 39, Article III, Texas Constitution. If this
 1-60 Act does not receive the vote necessary for immediate effect, this
 1-61 Act takes effect September 1, 2017.

1-62 * * * * *