Proposed 2009 Session Legislation

Agency Name & No:	Administration 6101

Priority Number:	004	**Filename:**	\6101\07-004

Short Title:	Breach Notification

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1. Purpose:

Amend current computer security breach notification requirements imposed on the private sector to include state government (30-14-1704, MCA). This breach requirement applies to any disclosure of names and social security numbers to an unauthorized person. State agencies would be required to notify all affected citizens of a breach.

2. Background:

Identity theft is a growing crime. The proposal will require state government entities to develop procedures to safeguard social security numbers and to notify individuals in case of a breach that exposes personal information. SB33 from the 2007 session (requested by the Economic Affairs Interim Committee) will be used as the model for this bill, but revised to exclude local governments. SB33 failed the 2007 session because of its potential impact to local governments.

3. Fiscal Impact by Fund Type: *This impact should be as specific as possible.*

If a breach occurs, an agency would be responsible to mail out a notification of the breach to the affected citizens. The fiscal impact would be the cost of the mailing.

4. Summary Checklist [Check & complete all that apply]--

☐ Housekeeping Only   ☐ Federal Requirement   ☐ Audit Recommendation (Audit No.) _____   ☐ Major Legislation

☑ Anticipated to be Controversial Legislation   ☐ Bill Draft has been included in Legislation Submittal (if available)

☐ Supports Submitted EPP Item Number _____   ☐ Local Government Fiscal Impact

☐ Increases FTE, or   ☐ Decreases FTE by   List FTE amount and program _____

☐ Increases Existing Revenue   ◯ Tax   ◯ Fee   ◯ Penalty [amount in #3]

☐ Decreases Existing Revenue   ◯ Tax   ◯ Fee   ◯ Penalty [amount in #3]

☐ Establishes New Revenue   ◯ Tax   ◯ Fee   ◯ Penalty [amount in #3]

☑ Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no):   SB33

☑ Legislation would affect other state agencies (list):   Potentially every agency

☐ Special Interest Groups Affected (list): _____

☐ Other: _____