



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4890

by Rep. Richard P. Myers

SYNOPSIS AS INTRODUCED:

20 ILCS 450/15
20 ILCS 450/20

Amends the Data Security on State Computers Act. Provides that the definition of "Agency" does not include public universities or their governing boards. Requires the governing board of each public university in this State to implement and administer the provisions of the Act with respect to State-owned electronic data processing equipment utilized by the university. Provides that the governing board shall implement a policy to mandate that all hard drives of surplus electronic data processing equipment be cleared of all data and software before being prepared for sale, donation, or transfer by following certain requirements. For purposes of the Act and any other State directive requiring the clearing of data and software from State-owned electronic data processing equipment prior to sale, donation, or transfer by a public university, provides that the governing board of the university shall have and maintain responsibility for the implementation and administration of the requirements for clearing State-owned electronic data processing equipment utilized by the university. Effective immediately.

LRB095 17105 NHT 44889 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Data Security on State Computers Act is
5 amended by changing Sections 15 and 20 as follows:

6 (20 ILCS 450/15)

7 Sec. 15. Definitions. As used in this Act:

8 "Agency" means all parts, boards, and commissions of the
9 executive branch of State government, other than public
10 universities or their governing boards, including, but not
11 limited to, ~~State colleges and universities and their governing~~
12 ~~boards~~ and all departments established by the Civil
13 Administrative Code of Illinois.

14 "Disposal by sale, donation, or transfer" includes, but is
15 not limited to, the sale, donation, or transfer of surplus
16 electronic data processing equipment to other agencies,
17 schools, individuals, and not-for-profit agencies.

18 "Electronic data processing equipment" includes, but is
19 not limited to, computer (CPU) mainframes, and any form of
20 magnetic storage media.

21 "Authorized agency" means an agency authorized by the
22 Department of Central Management Services to sell or transfer
23 electronic data processing equipment under Sections 5010.1210

1 and 5010.1220 of Title 44 of the Illinois Administrative Code.

2 "Department" means the Department of Central Management
3 Services.

4 "Overwrite" means the replacement of previously stored
5 information with a pre-determined pattern of meaningless
6 information.

7 (Source: P.A. 93-306, eff. 7-23-03.)

8 (20 ILCS 450/20)

9 Sec. 20. Establishment and implementation. The Data
10 Security on State Computers Act is established to protect
11 sensitive data stored on State-owned electronic data
12 processing equipment to be (i) disposed of by sale, donation,
13 or transfer or (ii) relinquished to a successor executive
14 administration. This Act shall be administered by the
15 Department or an authorized agency. The governing board of each
16 public university in this State must implement and administer
17 the provisions of this Act with respect to State-owned
18 electronic data processing equipment utilized by the
19 university. The Department or an authorized agency shall
20 implement a policy to mandate that all hard drives of surplus
21 electronic data processing equipment be cleared of all data and
22 software before being prepared for sale, donation, or transfer
23 by (i) overwriting the previously stored data on a drive or a
24 disk at least 10 times and (ii) certifying in writing that the
25 overwriting process has been completed by providing the

1 following information: (1) the serial number of the computer or
2 other surplus electronic data processing equipment; (2) the
3 name of the overwriting software used; and (3) the name, date,
4 and signature of the person performing the overwriting process.
5 The head of each State agency shall establish a system for the
6 protection and preservation of State data on State-owned
7 electronic data processing equipment necessary for the
8 continuity of government functions upon it being relinquished
9 to a successor executive administration.

10 For purposes of this Act and any other State directive
11 requiring the clearing of data and software from State-owned
12 electronic data processing equipment prior to sale, donation,
13 or transfer by a public university in this State, the governing
14 board of the university shall have and maintain responsibility
15 for the implementation and administration of the requirements
16 for clearing State-owned electronic data processing equipment
17 utilized by the university.

18 (Source: P.A. 93-306, eff. 7-23-03.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.