

State of Arkansas  
93rd General Assembly  
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As Engrossed: H1/14/21

# A Bill

HOUSE BILL 1110

By: Representative S. Meeks  
By: Senator J. English

## For An Act To Be Entitled

AN ACT TO REQUIRE A STATE ENTITY TO REPORT A SECURITY  
INCIDENT TO THE LEGISLATIVE AUDITOR; AND FOR OTHER  
PURPOSES.

## Subtitle

TO REQUIRE A STATE ENTITY TO REPORT A  
SECURITY INCIDENT TO THE LEGISLATIVE  
AUDITOR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 10, Chapter 4, Subchapter 4, is amended  
to add an additional section to read as follows:

10-4-429. Report of security incident – Definitions.

(a) As used in this section:

(1) "Public entity" means an entity of the state, political  
subdivision of the state, or school; and

(2) "Security incident" means any compromise of the security,  
confidentiality, or integrity of an information system maintained by a public  
entity, a contractual provider of an information system that contracts with a  
public entity, or other computer-related services of a public entity, that is  
caused by any unauthorized:

(A) Access to an information system of a public entity;

(B) Destruction of an information system of a public  
entity or the data of an information system of a public entity; or

(C) Acquisition of data from an information system of a



1 public entity.

2 (b) A public entity that experiences a security incident shall  
3 disclose, in writing, the security incident to the Legislative Auditor within  
4 two (2) business days after learning of the security incident.

5 (c)(1) If a law enforcement agency determines that a report by a  
6 public entity of a security incident may impede an existing criminal  
7 investigation, then the public entity may delay notification of the security  
8 incident to the auditor.

9 (2) If the law enforcement agency determines that notifying the  
10 auditor of the security incident will not compromise an existing criminal  
11 investigation, the public entity shall report the security incident to the  
12 auditor within two (2) business days after the law enforcement agency makes  
13 the determination.

14 (d) The auditor shall:

15 (1) Maintain a list of all security incidents reported by a  
16 public entity; and

17 (2) Annually on or before December 15, report the information  
18 required by subdivision (d)(1) of this section to the Legislative Council,  
19 Legislative Joint Auditing Committee, and Joint Committee on Advanced  
20 Communications and Information Technology.

21 (e) If the auditor believes the security incident significantly  
22 compromises citizens' data, creates a significant security concern, or  
23 involves significant theft, then the auditor shall notify:

24 (1) The Governor;

25 (2) The President Pro Tempore of the Senate;

26 (3) The Speaker of the House of Representatives;

27 (4) The House and Senate cochair of the Legislative Council;

28 (5) The cochair and the co-vice chairs of the Legislative Joint  
29 Auditing Committee; and

30 (6) The chairs of the Joint Committee on Advanced Communications  
31 and Information Technology.

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34 /s/S. Meeks  
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