

State of Arkansas As Engrossed: H1/14/21 H1/28/21 H2/8/21

93rd General Assembly

A Bill

Regular Session, 2021

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)(1) A public entity that experiences a security incident shall
3 disclose, in writing, an initial report of the known facts of the security
4 incident to the Legislative Auditor within five (5) business days after
5 learning of the security incident.

6 (2) A public entity shall provide regular updates of the
7 security incident to the auditor until the investigation of the security
8 incident is closed.

9 (c) The auditor shall:

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

12 (2) Annually on or before December 15, report the information
13 required by subdivision (c)(1) of this section to the Legislative Council,
14 Legislative Joint Auditing Committee, and Joint Committee on Advanced
15 Communications and Information Technology.

16 (d) If the auditor believes the security incident significantly
17 compromises citizens' data, creates a significant security concern, or
18 involves significant theft, then the auditor shall notify:

19 (1) The Governor;

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

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

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

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

25 (6) The cochair of the Joint Committee on Advanced
26 Communications and Information Technology.

27 (e) A report, update, notification, or list created or maintained
28 under this section is exempt as a security function under § 25-19-105(b)(11).

31 /s/S. Meeks