

SENATE AMENDMENTS TO SENATE BILL 1538

By JOINT LEGISLATIVE COMMITTEE ON INFORMATION MANAGEMENT AND
TECHNOLOGY

February 24

1 On page 1 of the printed bill, delete lines 9 through 13 and insert:

2 “(A) An organized method to determine a risk to or a vulnerability of a state agency’s infor-
3 mation system or a third party information service to which a state agency subscribes; and”.

4 In line 19, after “Officer” insert “or a state agency, under the state agency’s independent au-
5 thority,”.

6 In line 20, delete “information system,”.

7 Delete lines 23 through 28.

8 On page 2, delete lines 1 through 10 and insert:

9 “(c) ‘Information security incident’ means an incident that creates a risk of harm to a state
10 agency or the state agency’s operations and in which:

11 “(A) Access to, or viewing, copying, transmission, theft or usage of, a state agency’s sensitive,
12 protected or confidential information occurs without authorization from the state agency;

13 “(B) A failure of compliance with a state agency’s security or acceptable use policies or prac-
14 tices occurs that results in access to a state agency’s information system or information resources
15 for viewing, copying, transmission, theft or use without the state agency’s authorization; or

16 “(C) A state agency’s information system or information resources or a third party information
17 service to which a state agency subscribes becomes unavailable in a reliable and timely manner to
18 authorized individuals or organizations, or is modified or deleted under circumstances that the state
19 agency does not intend, plan or initiate.

20 “(d)(A) ‘Information system’ means a system of computers and related hardware, software, stor-
21 age media and networks and any other means by which a state agency collects, uses or manages the
22 state agency’s information resources.

23 “(B) ‘Information system’ does not include a third party information service to which a state
24 agency subscribes if the third party information service incorporates or uses hardware, software,
25 storage media and networks that the state agency does not own or lease or that the state agency
26 does not have the legal authority to directly monitor or control.

27 “(e) ‘State agency’ means an officer, board, commission, department, agency or institute of state
28 government, as defined in ORS 174.111, except.”.

29 In line 16, delete “in the notification”.

30 Delete lines 20 through 24 and insert:

31 “(3) Each state agency shall periodically conduct or contract for an information security as-
32 sessment of the state agency’s information system and information resources and shall request re-
33 sults from a third party’s information security assessment of an information service that the third
34 party provides and to which the state agency subscribes. Each state agency shall notify the Legis-
35 lative Fiscal Office of the information security assessment after the state agency receives the results

1 of the information security assessment.”.

2 Delete lines 33 through 45.

3 On page 3, delete lines 1 through 6 and insert:

4 “(b) The annual report described in paragraph (a) of this subsection may not include information
5 security information or other materials that are exempt from disclosure under ORS 192.410 to
6 192.505.

7 “(5)(a) The Legislative Fiscal Office shall use the notifications the office receives under sub-
8 sections (2) and (3) of this section, and any other information about an information security assess-
9 ment or an information security incident that a state agency provides to the office, via a method
10 and at a level of detail to which the state agency and the office agree, solely for the purpose of
11 providing support and assistance to the Joint Legislative Committee on Information Management
12 and Technology, the Joint Committee on Ways and Means and the Joint Legislative Audit Commit-
13 tee.

14 “(b)(A) Except as provided in subparagraph (B) of this paragraph, the Legislative Fiscal Officer
15 or an employee of the Legislative Fiscal Office may not disclose to any other person the nature or
16 contents of the notifications that the office receives under subsections (2) and (3) of this section or
17 any other information described in paragraph (a) of this subsection to the extent that the notifica-
18 tions or the information are exempt from disclosure under ORS 192.410 to 192.505.

19 “(B) The Legislative Fiscal Officer or an employee of the Legislative Fiscal Office may disclose
20 the nature or contents of the notifications or information described in subparagraph (A) of this
21 paragraph if the officer or employee obtains the written consent of.”.

22 In line 7, delete “materials” and insert “notifications and information”.

23 In line 9, delete “materials” and insert “notifications and information”.

24 In line 11, delete “materials” and insert “notifications and information”.

25 In line 13, delete “materials” and insert “notifications and information”.

26 In line 15, delete “materials” and insert “notifications and information”.

27 In line 17, delete “materials” and insert “notifications and information”.

28
