

Enterprise Information Services Privacy Recommendations

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Joint Legislative Committee on
Information Management & Technology

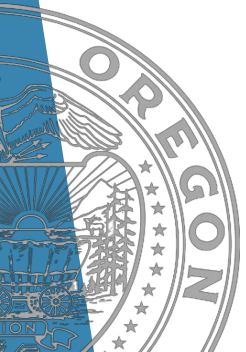
March 22, 2023



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Agenda

- ▶ Senate Bill 293 (2021) Summary
- ▶ Problem Statement
- ▶ Senate Bill 293 (2021) Report Methodology
- ▶ Enterprise Information Services Privacy Recommendations
- ▶ Next Steps – Senate Bill 1073 (2023); Policy Option Package



Senate Bill 293 (2021) Summary

Senate Bill 293 (2021), tasked Enterprise Information Services (EIS) with preparing recommendations for elevating consideration of privacy, confidentiality and data.

In preparing the recommendations EIS considered:

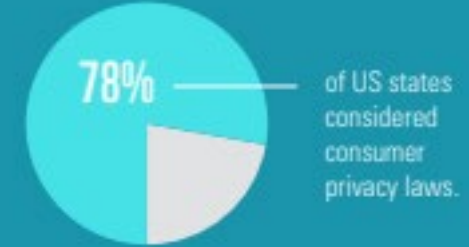
- ▶ The merits of establishing a dedicated state privacy officer role versus delegating privacy duties to another officer within EIS.
- ▶ The merits of developing a privacy assessment tool within existing frameworks for information technology project oversight.
- ▶ The merits of outreach, education, and engagement with those whose data is collected within state information technology systems.



Problem Statement: A Rapidly Evolving Privacy Landscape

SINCE 2018...

39 states **considered** comprehensive consumer privacy laws.



5 states **enacted** comprehensive consumer privacy laws.



CALIFORNIA



VIRGINIA



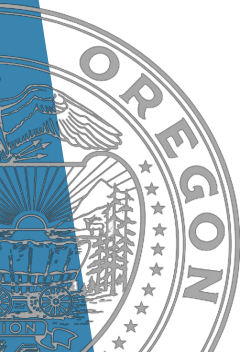
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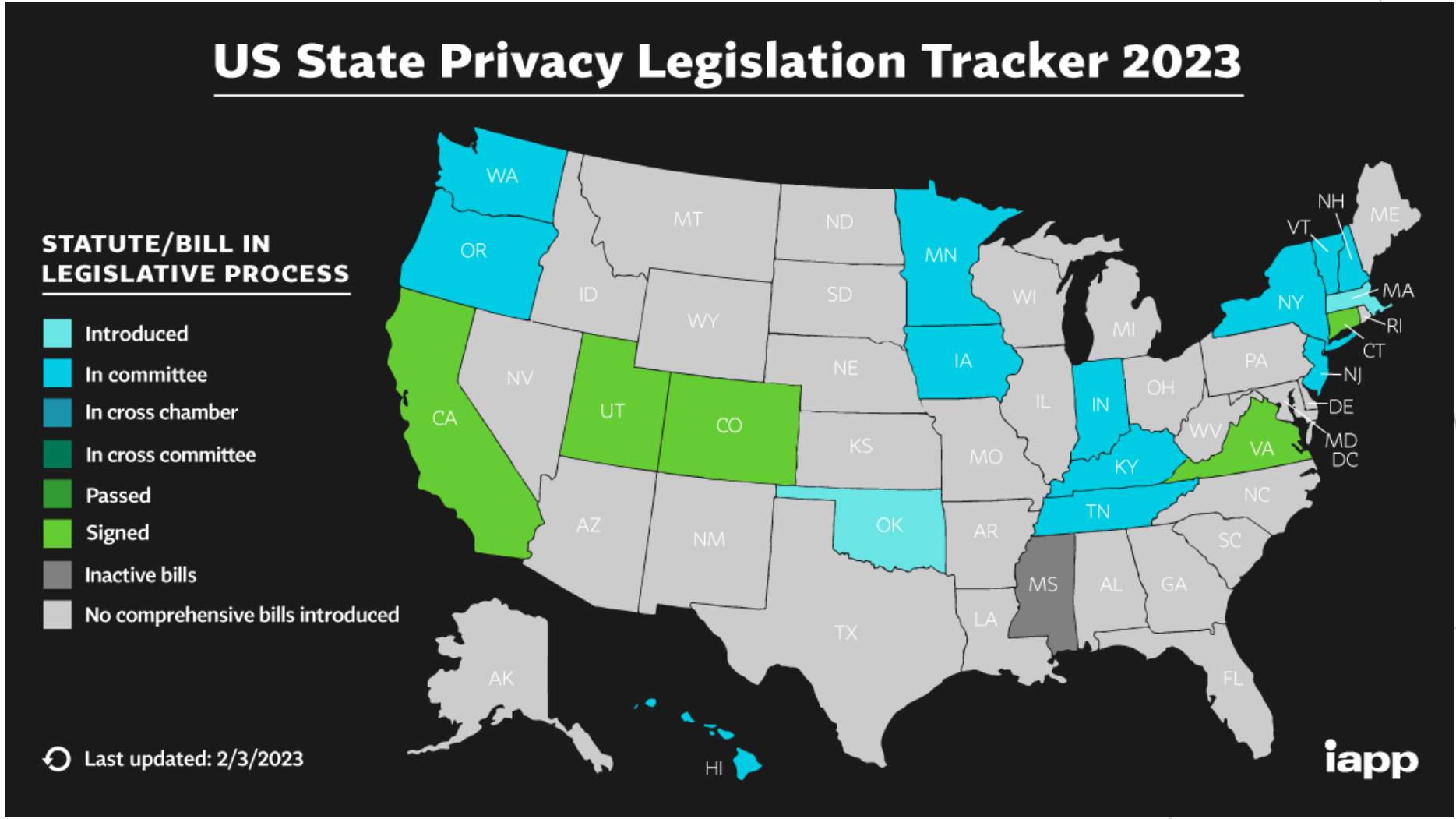
UTAH



CONNECTICUT



Problem Statement: A Rapidly Evolving Privacy Landscape



Senate Bill 293 (2021) Report Methodology

▶ Discovery Process

- Analysis of best practices from Gartner Inc., Info-Tech Research Group, International Association of Privacy Professionals.
- Calls with consultant; policy review and discussion with privacy leaders.

▶ Stakeholder Engagement

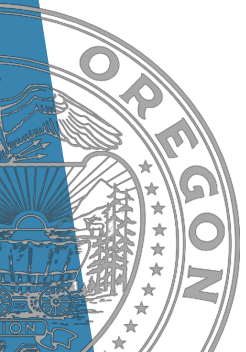
- Vetted and refined recommendations with external stakeholder groups.

▶ Evaluation of current EIS program responsibilities and extant resources for privacy and security (data classification policy, privacy guidance for open datasets)



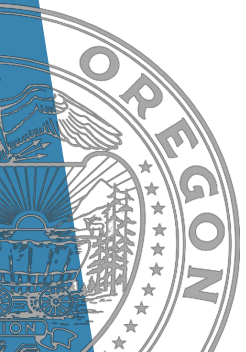
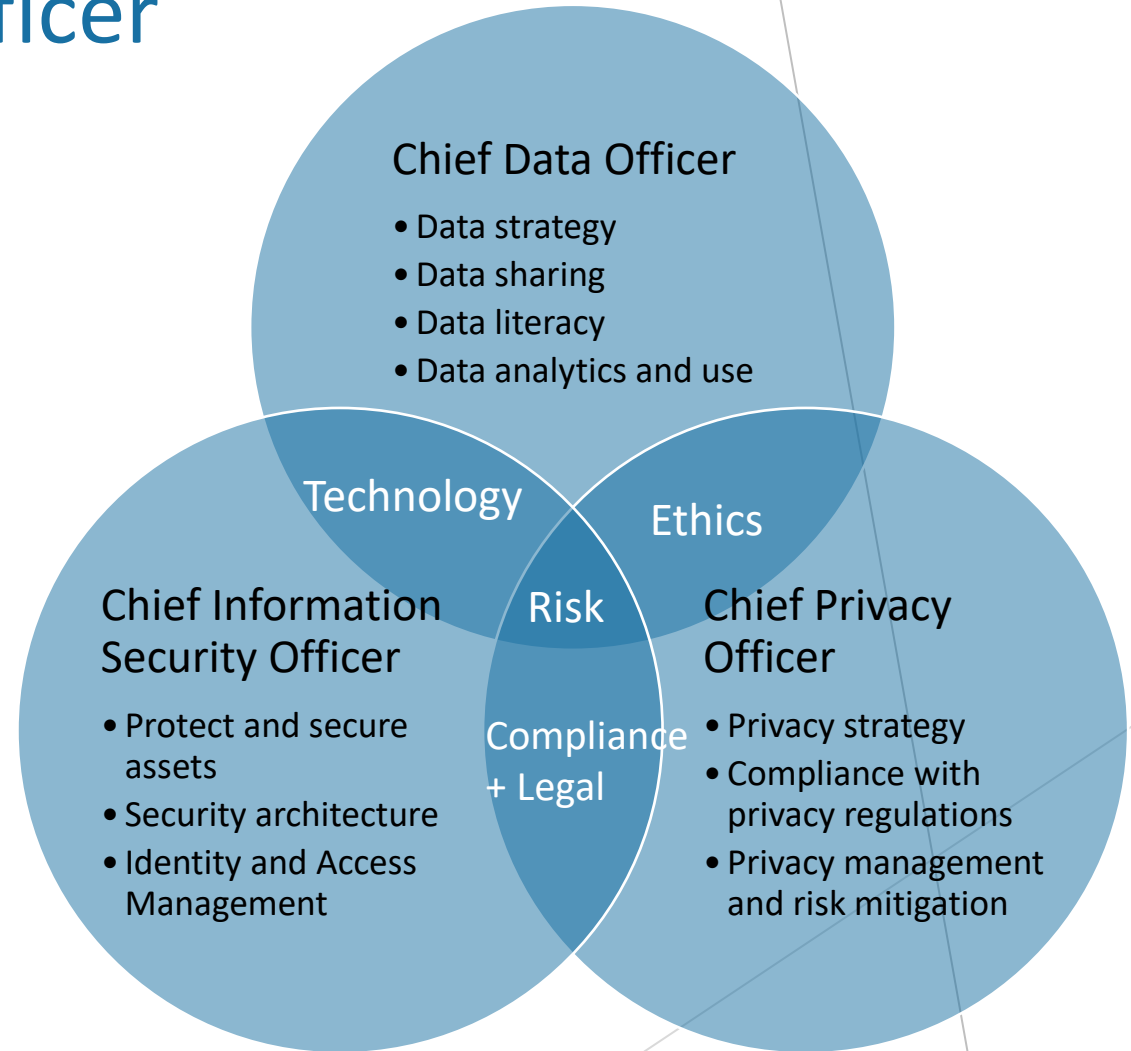
EIS Privacy Recommendations

- 1 Establish a Chief Privacy Officer (CPO)
- 2 Require the CPO to develop an Enterprise Privacy Program
- 3 Create statutory authorization and budgetary authority to support enterprise privacy
- 4 Establish Privacy Program deliverables
- 5 Develop privacy outreach, education, and engagement strategies for the public.



Establish a Chief Privacy Officer

“Privacy must be thought of as a separate function. While there will always be ties to security in the ways it protects data, privacy starts and ends with the focus on **personal data**. Beyond protection, privacy extends to understanding why personal data is being collected, what the lawful uses are, how long it can be retained, and who has access to it.”



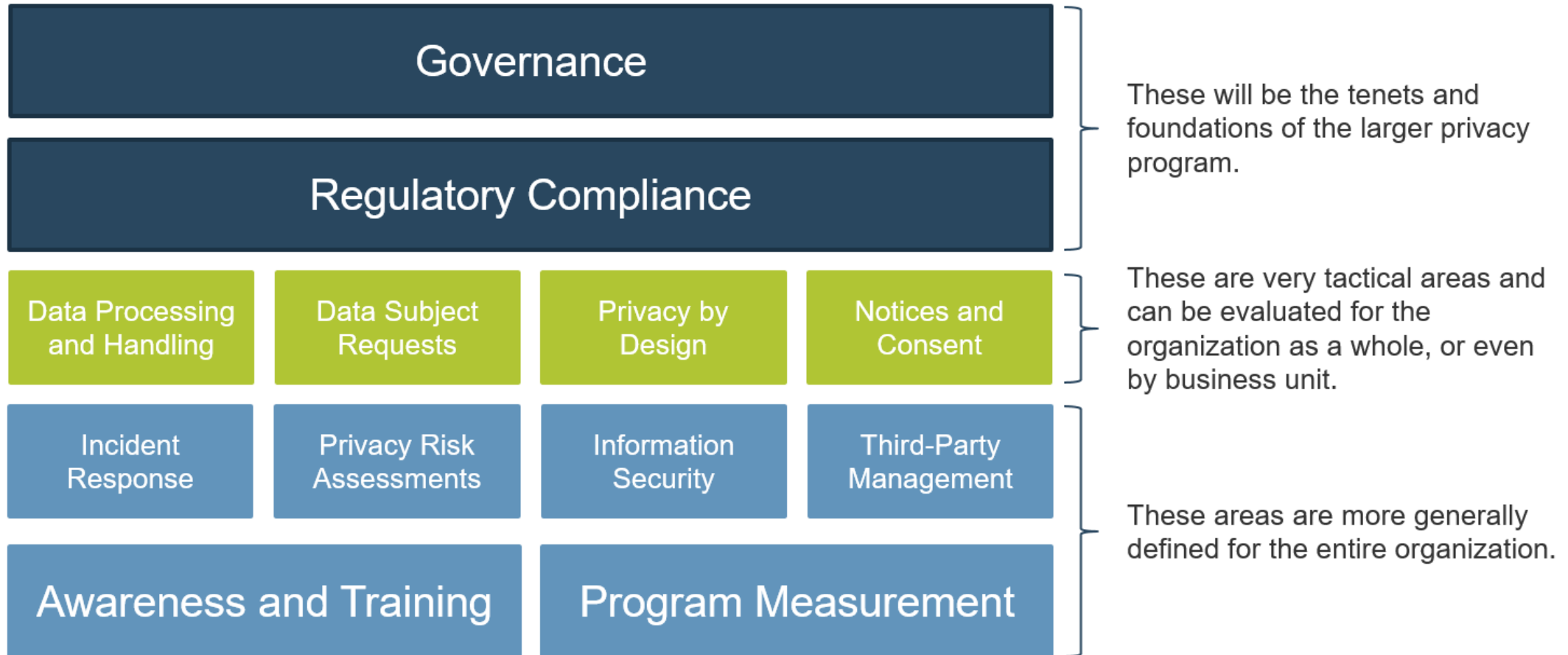
Develop and Resource an Enterprise Privacy Program



- ▶ Recommend Chief Privacy Officer be tasked with evaluating and assessing the state's current privacy landscape and produce a gap analysis.



Develop and Resource an Enterprise Privacy Program



Next Steps

- ▶ Agency Request Budget Policy Option Package #128 advanced to the 2023-25 Governor's Recommended Budget.
 - Creates 3 FTE Positions:
 - Chief Privacy Officer
 - Privacy Program Manager
 - Privacy Analyst
 - Provides funding of services and supplies to cover initial functions of office.
- ▶ Senate Bill 1073 (2023) codifies Chief Privacy Officer responsibilities and authority within statute.



Thank you

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