

SUBJECT: Requiring state agencies to develop data use agreements for employees

COMMITTEE: Government Transparency and Operation — favorable, without amendment

VOTE: 4 ayes — Elkins, Walle, Galindo, Gonzales

0 nays

3 absent — Gutierrez, Leach, Scott Turner

SENATE VOTE: On final passage, April 30 — 30-1 (V. Taylor), on local and uncontested calendar

WITNESSES: No public hearing

BACKGROUND: Government Code, ch. 2054 establishes the Information Resources Management Act, which provides for state policies regarding information resources.

Observers have noted that the data use agreements used by most state agencies to define an employee's duties and responsibilities on data access and usage tend to change as cybersecurity threats evolve. Because employees generally view the data use agreement only once as a part of the hiring process, they may not necessarily be aware of changes in policies and best practices.

DIGEST: SB 1877 would require each state agency to develop a data use agreement that met the needs of the agency and conformed to rules adopted by the Department of Information Resources on information security standards.

An agency would be required to update the agreement at least biennially, but could do so whenever necessary. The agency would have to distribute the data use agreement and any subsequent updates to agency employees, who would be required to sign the agreement and any updates.

To the extent possible, an agency would have to provide cybersecurity awareness training to agency employees coinciding with the distribution of the data use agreement and each biennial update.

This bill would take effect September 1, 2015.