

# SB1862



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1862

Introduced 2/9/2011, by Sen. Don Harmon

#### SYNOPSIS AS INTRODUCED:

20 ILCS 450/20

Amends the Data Security on State Computers Act. Provides that the Department of Central Management Services shall implement a policy of preparing hard drives or disks of surplus equipment for sale, donation, or transfer by overwriting the previously stored data on the drive or disk at least 3 (rather than 10) times. Effective immediately.

LRB097 08343 PJG 48470 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Data Security on State Computers Act is  
5 amended by changing Section 20 as follows:

6 (20 ILCS 450/20)

7 Sec. 20. Establishment and implementation. The Data  
8 Security on State Computers Act is established to protect  
9 sensitive data stored on State-owned electronic data  
10 processing equipment to be (i) disposed of by sale, donation,  
11 or transfer or (ii) relinquished to a successor executive  
12 administration. This Act shall be administered by the  
13 Department or an authorized agency. The governing board of each  
14 public university in this State must implement and administer  
15 the provisions of this Act with respect to State-owned  
16 electronic data processing equipment utilized by the  
17 university. The Department or an authorized agency shall  
18 implement a policy to mandate that all hard drives of surplus  
19 electronic data processing equipment be cleared of all data and  
20 software before being prepared for sale, donation, or transfer  
21 by (i) overwriting the previously stored data on a drive or a  
22 disk at least 3 ~~10~~ times and (ii) certifying in writing that  
23 the overwriting process has been completed by providing the

1 following information: (1) the serial number of the computer or  
2 other surplus electronic data processing equipment; (2) the  
3 name of the overwriting software used; and (3) the name, date,  
4 and signature of the person performing the overwriting process.  
5 The head of each State agency shall establish a system for the  
6 protection and preservation of State data on State-owned  
7 electronic data processing equipment necessary for the  
8 continuity of government functions upon it being relinquished  
9 to a successor executive administration.

10 For purposes of this Act and any other State directive  
11 requiring the clearing of data and software from State-owned  
12 electronic data processing equipment prior to sale, donation,  
13 or transfer by the General Assembly or a public university in  
14 this State, the General Assembly or the governing board of the  
15 university shall have and maintain responsibility for the  
16 implementation and administration of the requirements for  
17 clearing State-owned electronic data processing equipment  
18 utilized by the General Assembly or the university.

19 (Source: P.A. 96-45, eff. 7-15-09.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.