

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 erased, wiped,
20 sanitized, or destroyed in a manner that prevents retrieval of
21 sensitive ~~cleared of all~~ data and software before being sold,
22 donated, or transferred ~~prepared for sale, donation, or~~
23 ~~transfer~~ by (i) overwriting the previously stored data on a

1 drive or a disk at least 3 ~~10~~ times or physically destroying
2 the hard drive and (ii) certifying in writing that the
3 overwriting process has been completed by providing the
4 following information: (1) the serial number of the computer or
5 other surplus electronic data processing equipment; (2) the
6 name of the overwriting software or physical destruction
7 process used; and (3) the name, date, and signature of the
8 person performing the overwriting or destruction process. The
9 head of each State agency shall establish a system for the
10 protection and preservation of State data on State-owned
11 electronic data processing equipment necessary for the
12 continuity of government functions upon it being relinquished
13 to a successor executive administration.

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

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.