



Sen. Don Harmon

Filed: 3/8/2011

09700SB1862sam001

LRB097 08343 PJG 52114 a

1 AMENDMENT TO SENATE BILL 1862

2 AMENDMENT NO. _____. Amend Senate Bill 1862 by replacing
3 everything after the enacting clause with the following:

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

1 university. The Department or an authorized agency shall
2 implement a policy to mandate that all hard drives of surplus
3 electronic data processing equipment be erased, wiped,
4 sanitized, or destroyed in a manner that prevents retrieval of
5 sensitive ~~cleared of all~~ data and software before being sold,
6 donated, or transferred ~~prepared for sale, donation, or~~
7 ~~transfer~~ by (i) overwriting the previously stored data on a
8 drive or a disk at least 3 ~~10~~ times or physically destroying
9 the hard drive and (ii) certifying in writing that the
10 overwriting process has been completed by providing the
11 following information: (1) the serial number of the computer or
12 other surplus electronic data processing equipment; (2) the
13 name of the overwriting software or physical destruction
14 process used; and (3) the name, date, and signature of the
15 person performing the overwriting or destruction process. The
16 head of each State agency shall establish a system for the
17 protection and preservation of State data on State-owned
18 electronic data processing equipment necessary for the
19 continuity of government functions upon it being relinquished
20 to a successor executive administration.

21 For purposes of this Act and any other State directive
22 requiring the clearing of data and software from State-owned
23 electronic data processing equipment prior to sale, donation,
24 or transfer by the General Assembly or a public university in
25 this State, the General Assembly or the governing board of the
26 university shall have and maintain responsibility for the

1 implementation and administration of the requirements for
2 clearing State-owned electronic data processing equipment
3 utilized by the General Assembly or the university.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."