



# House of Representatives

General Assembly

**File No. 117**

February Session, 2016

House Bill No. 5373

*House of Representatives, March 22, 2016*

The Committee on Program Review and Investigations reported through REP. CARPINO of the 32nd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT REQUIRING THE MAINTENANCE OF A CONFIDENTIAL STATE AGENCY PERSONAL DATA SYSTEMS INVENTORY BASED ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this  
2 section, "state agency" means any agency with a department head, as  
3 defined in section 4-5 of the general statutes, and "automated personal  
4 data system" and "personal data" have the same meanings as provided  
5 in section 4-190 of the general statutes, as amended by this act.

6 (b) Not later than December 31, 2016, and annually thereafter, each  
7 state agency shall submit a list of all automated personal data systems  
8 maintained by such agency that contain personal data as of December  
9 first of the year of such submission. Such list shall be submitted in a  
10 form and manner prescribed by the Secretary of the Office of Policy  
11 and Management and shall include: (1) The general nature and

12 purpose of each automated personal data system maintained by such  
13 agency, (2) the categories of personal data and other data in such  
14 systems, (3) how the personal data is used, and (4) the categories of  
15 authorized users of such personal data.

16 (c) Not later than January 31, 2017, and annually thereafter, the  
17 Secretary of the Office of Policy and Management shall create and post  
18 on the office's Internet web site an inventory of all of the state agency  
19 lists of automated personal data systems submitted under this section,  
20 including the information submitted under subdivisions (1) to (4),  
21 inclusive, of subsection (b) of this section.

22 Sec. 2. Subdivision (5) of section 4-190 of the general statutes is  
23 repealed and the following is substituted in lieu thereof (*Effective from*  
24 *passage*):

25 (5) "Computer accessible files" means any personal data which is  
26 stored on-line or off-line, which can be identified by use of electronic  
27 means, including, but not limited to, (A) microfilm and microfilm  
28 devices, which includes, but is not limited to, magnetic tape, magnetic  
29 film, magnetic disks, magnetic drums, internal memory utilized by any  
30 processing device, including computers or telecommunications control  
31 units, punched cards, optically [scanable] scannable paper or film, or  
32 (B) external or removable hard drives, flash cards, flash drives,  
33 compact disks or digital video disks.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	4-190(5)

**PRI**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 17 \$</b>	<b>FY 18 \$</b>
Policy & Mgmt., Off.	GF - Cost	Approximately \$15,000	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires each state agency to submit a list of all automated personal data systems to the Office of Policy and Management (OPM), and requires OPM to create an online inventory of this information.

There is a one-time cost to OPM, estimated to be about \$15,000 to purchase an estimated 132 software licenses (at \$108 per license) for various state agencies to access the software used to compile personal data systems. This represents, on average, two licenses per agency.

There is no fiscal impact to state agencies associated with compiling such a list, as it is anticipated that current staff can manage the additional requirement.

**The Out Years**

There is no fiscal impact in the out years.

**OLR Bill Analysis****HB 5373*****AN ACT REQUIRING THE MAINTENANCE OF A CONFIDENTIAL STATE AGENCY PERSONAL DATA SYSTEMS INVENTORY BASED ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.*****SUMMARY:**

This bill requires each state agency with a department head to submit, annually by December 31, a list of all “automated personal data systems” that the agency maintains. Presumably, agencies must submit this list to the Office of Policy and Management (OPM) secretary. They must submit the list in a form and manner prescribed by the secretary and include (1) the general nature and purpose of each system, (2) the categories of personal and other data stored on them, and (3) a description of how the personal data is used and the categories of authorized users. The OPM secretary must post an inventory of these systems, including the descriptions listed above, on the office’s website annually by January 31. Existing law requires agencies to adopt regulations describing their personal data systems (CGS § 4-196).

By law, an “automated personal data system” is a system in which personal data is stored, in whole or part, in a computer or in computer accessible files (e.g., microfilm or magnetic disks). The bill adds to the definition of “computer accessible files” data that is stored on external or removable hard drives, flash cards, flash drives, compact disks, or digital video disks.

By law, “personal data” is any information about a person’s education, finances, medical or emotional condition or history, employment or business history, family or personal relationships, reputation, or character which because of name, identifying number,

mark, or description can be readily associated with a particular person.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable

Yea 10    Nay 0    (03/07/2016)