

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 46

2019 Regular Session

Peacock

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

INTERNET. Enacts the Louisiana Cybersecurity Information Sharing Act. (8/1/19)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Removes current provisions in the bill and substitutes the following:
 - (a) Provisions regarding sharing of cybersecurity information.
 - (b) Provisions that sharing information does not constitute a waiver of and applicable privilege or protection provide in the La. Code of Evidence.
 - (c) Lists the appropriate state entities authorized to receive cyber threat indicators and defensive measure information and for the conveyance of this information by email.
 - (d) Add provisions that no state entity receiving information be subject to reporting requirements of the federal Cybersecurity Information Sharing Act of 2015.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 46 Reengrossed

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Proposed law creates the Louisiana Cybersecurity Information Sharing Act (Act).

Proposed law provides that the purpose of this Act is to provide a framework for sharing cybersecurity information under Louisiana law that is consistent with federal law.

Proposed law requires that the phrases "cyber threat indicator" and "defensive measure information" have the meaning ascribed to them in federal law (6 U.S.C. §1501 et seq.)

Provides that when sharing a cyber threat indicator or defensive measure information, requires that each natural or juridical person or public or private entity receive the legal protections and privileges conveyed by the federal Cybersecurity Information Sharing Act of 2015 (6 U.S.C. §1501 et seq.,) and as provided in proposed law.

Proposed law provides that the sharing a cyber threat indicator or defensive measure information does not constitute a waiver of any applicable privilege or protection provided in the Louisiana Code of Evidence.

Proposed law provides that the following entities are authorized, in addition to those entities identified in federal law, to receive cyber threat indicators and defensive measure information through electronic mail transmission:

- (1) The Department of Justice, office of the attorney general, Louisiana Bureau of Investigation.
- (2) The Department of Public Safety and Corrections, office of state police, Louisiana State Analytical and Fusion Exchange.
- (3) The Governor's Office of Homeland Security and Emergency Preparedness.

Provides that when a natural person or private or public entity is conveying a cyber threat indicator or defensive measure information by electronic mail, the natural person or public

or private entity shall indicate this by populating "Cyber Threat Indicator" or "Cyber Defensive Measure" in the subject line of the electronic mail.

Proposed law does not relieve a person or entity from requirements for compliance with the Database Security Breach Notification Law, R. S. 51:3071 et seq., specifically including but not limited to, the requirements involving protection of personal information and breach disclosures in present law.

Proposed law provides that no state entity that receives cybersecurity information pursuant to proposed law shall be subject to the reporting requirements of the federal Cybersecurity Information Sharing Act of 2015.

Authorizes the office of state police to adopt necessary rules in accordance with the Administrative Procedure Act to implement the provisions of proposed law provided the rules do not conflict with the federal Cybersecurity Information Sharing Act of 2015.

Effective August 1, 2019.

(Adds R.S. 51:2101-2109)

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