

ASSEMBLY, No. 1396

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Concerns information security standards and guidelines for State and local government.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning information security standards and guidelines
2 for State and local government, supplementing P.L.2007, c.56
3 (C.52:18A-219 et seq.), P.L.2007 c.63 (C.40A:5-48 et al.),
4 chapter 36 of Title 18A of the New Jersey Statues, and chapter 1
5 of Title 2B of the New Jersey Statutes.

6
7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
8 *of New Jersey:*
9

10 1. The Office of Information Technology, in partnership with
11 relevant Executive Branch offices, shall provide minimum
12 information security standards and guidelines that Executive Branch
13 departments, agencies, and other instrumentalities of the Executive
14 Branch shall follow to protect against unauthorized access to,
15 alteration, disclosure, or destruction of information and information
16 systems.

17
18 2. A county, municipality, subdivision or instrumentality
19 thereof shall:

20 a. follow the Office of Information Technology's minimum
21 standards and guidelines for the protection against unauthorized
22 access to, alteration, disclosure, or destruction of information and
23 information systems that are established for the Executive Branch,
24 pursuant to section 1 of P.L. , c. (C.) (pending before the
25 Legislature as this bill); or

26 b. ensure that its own standards and guidelines protecting
27 against unauthorized access to, alteration, disclosure, or destruction
28 of information and information systems are commensurate with the
29 information's sensitivity.
30

31 3. A board of education shall:

32 a. follow the Office of Information Technology's minimum
33 standards and guidelines for the protection against unauthorized
34 access to, alteration, disclosure, or destruction of information and
35 information systems that are established for the Executive Branch,
36 pursuant to section 1 of P.L. , c. (C.) (pending before the
37 Legislature as this bill); or

38 b. ensure that its own standards and guidelines protecting
39 against unauthorized access to, alteration, disclosure, or destruction
40 of information and information systems are commensurate with the
41 information's sensitivity.
42

43 4. The Administrative Director of the courts, as approved by
44 the Chief Justice of the Supreme Court, is authorized and
45 encouraged to:

46 a. ensure that courts in this State follow the Office of
47 Information Technology's minimum standards and guidelines for
48 the protection against unauthorized access to, alteration, disclosure,

1 or destruction of information and information systems that are
2 established for the Executive Branch, pursuant to section 1 of
3 P.L. , c. (C.) (pending before the Legislature as this bill);
4 or

5 b. ensure that courts in this State have standards and guidelines
6 to protect against unauthorized access to, alteration, disclosure, or
7 destruction of information and information systems commensurate
8 with the information's sensitivity.

9
10 5. This act shall take effect immediately, but shall remain
11 inoperative for 180 days following the date of enactment.

12
13
14 STATEMENT

15
16 This bill requires the Office of Information Technology in the
17 Department of the Treasury to provide minimum information
18 security standards and guidelines that are to be followed by State
19 agencies. In the course of governance, agencies often collect and
20 use personal or confidential information. Because personal and
21 confidential information are vulnerable to unauthorized access and
22 disclosure, it is important that such information is protected by
23 physical and cyber security.

24 The bill also requires that local governments and boards of
25 education follow the Office of Information Technology's guidelines
26 or use other standards and guidelines that protect information
27 commensurate with the information's sensitivity. The bill
28 authorizes and encourages the Judiciary to follow the Office of
29 Information Technology's guidelines or use other standards and
30 guidelines that protect information commensurate with the
31 information's sensitivity.

32 The bill will take effect immediately upon passage. However,
33 180 days are given for the State and local governments to
34 implement the requirements of the bill.