

# Enterprise Information Services SB293 Privacy Recommendations

Kathryn Darnall Helms, State Chief Data Officer

Joint Committee on Ways and Means  
Subcommittee on General Government

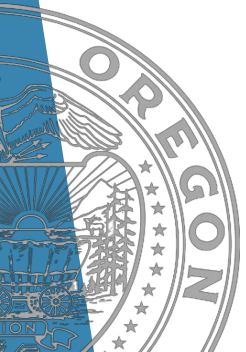
April 2023



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# Agenda

- ▶ Senate Bill 293 Summary
- ▶ Problem Statement
- ▶ Senate Bill 293 Report Methodology
- ▶ Enterprise Information Services Privacy Recommendations
- ▶ Next Steps



# Senate Bill 293 Summary

Senate Bill 293 (2021), tasked Enterprise Information Services (EIS) with preparing recommendations for elevating consideration of privacy, confidentiality and data.

In preparing the recommendations EIS considered:

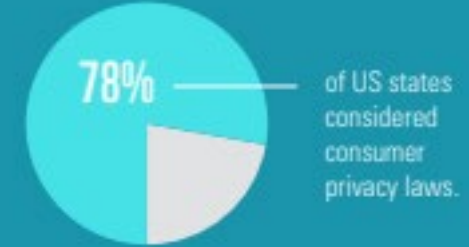
- ▶ The merits of establishing a dedicated state privacy officer role versus delegating privacy duties to another officer within EIS.
- ▶ The merits of developing a privacy assessment tool within existing frameworks for information technology project oversight.
- ▶ The merits of outreach, education, and engagement with those whose data is collected within state information technology systems.



# Problem Statement: A Rapidly Evolving Privacy Landscape

SINCE 2018...

39 states **considered** comprehensive consumer privacy laws.



5 states **enacted** comprehensive consumer privacy laws.



CALIFORNIA



VIRGINIA



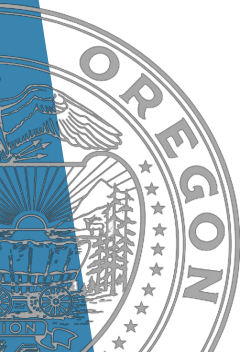
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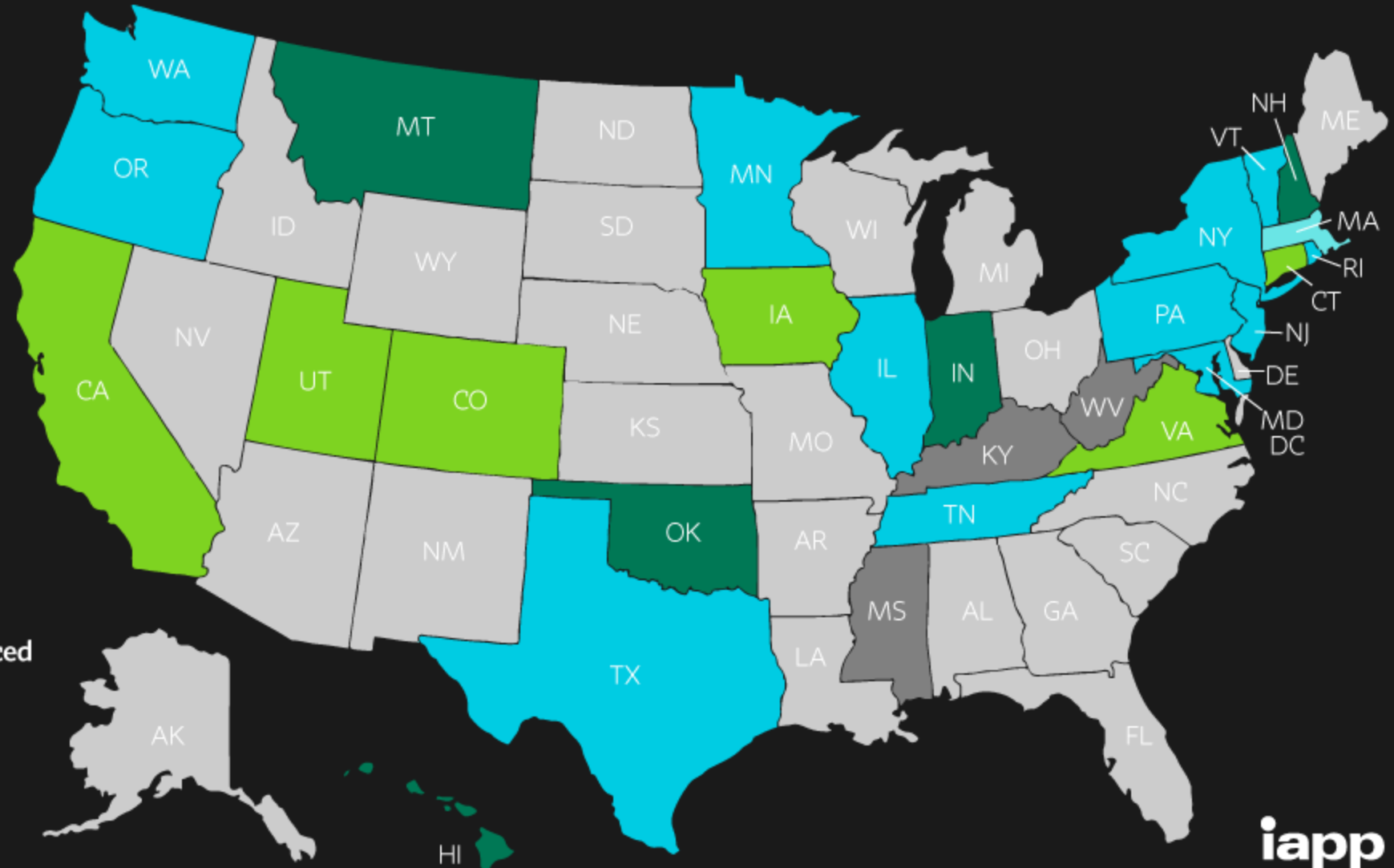
CONNECTICUT



# US State Privacy Legislation Tracker 2023

## STATUTE/BILL IN LEGISLATIVE PROCESS

- Introduced
- In committee
- In cross chamber
- In cross committee
- Passed
- Signed
- Inactive bills
- No comprehensive bills introduced



🔄 Last updated: 3/31/2023

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# Senate Bill 293 Report Methodology

## ▶ Discovery Process

- Analysis of best practices from Gartner Inc., Info-Tech Research Group, International Association of Privacy Professionals.
- Calls with consultant; policy review and discussion with privacy leaders.

## ▶ Stakeholder Engagement

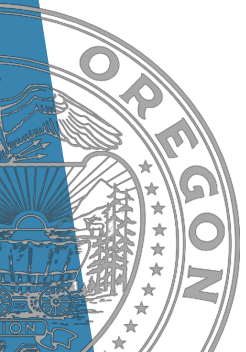
- Vetted and refined recommendations with external stakeholder groups.

## ▶ Evaluation of current EIS program responsibilities and extant resources for privacy and security (data classification policy, privacy guidance for open datasets)



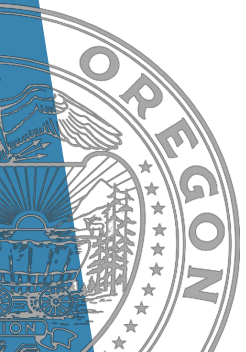
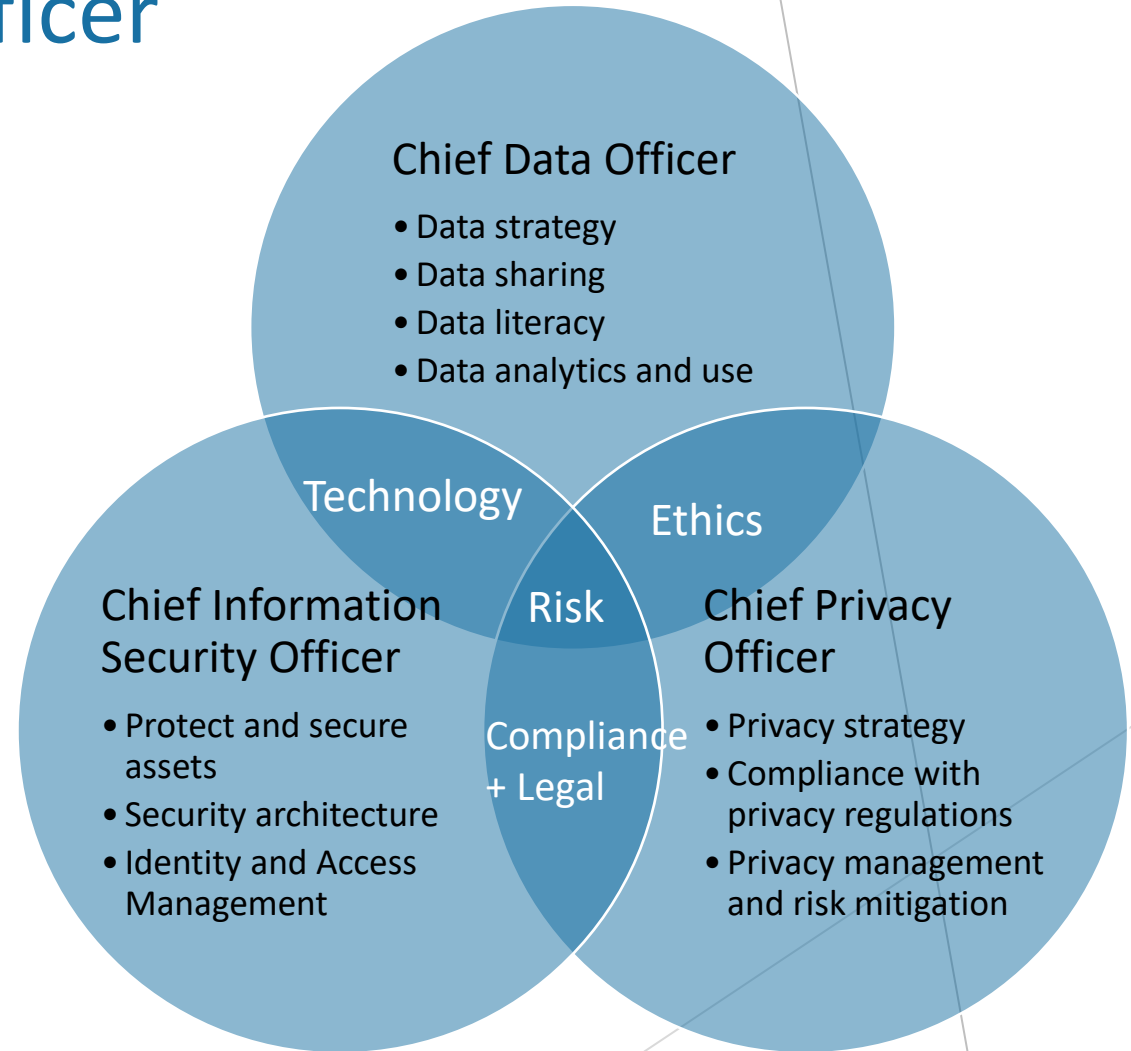
# EIS Privacy Recommendations

- 1 Establish a Chief Privacy Officer (CPO)
- 2 Require the CPO to develop an Enterprise Privacy Program
- 3 Create statutory authorization and budgetary authority to support enterprise privacy
- 4 Establish Privacy Program deliverables
- 5 Develop privacy outreach, education, and engagement strategies for the public.



# Establish a Chief Privacy Officer

“Privacy must be thought of as a separate function. While there will always be ties to security in the ways it protects data, privacy starts and ends with the focus on **personal data**. Beyond protection, privacy extends to understanding why personal data is being collected, what the lawful uses are, how long it can be retained, and who has access to it.”





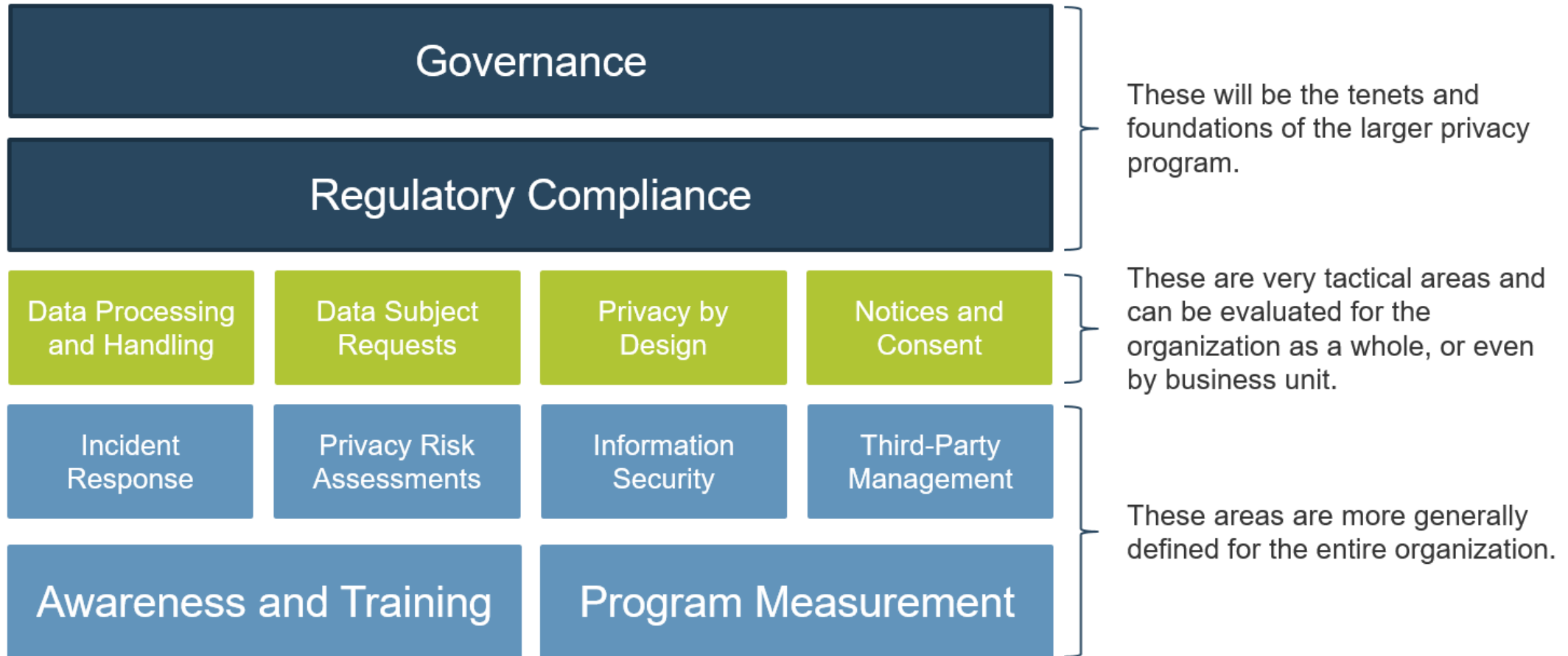
# Develop and Resource an Enterprise Privacy Program



- ▶ Recommend Chief Privacy Officer be tasked with evaluating and assessing the state's current privacy landscape and produce a gap analysis.



# Develop and Resource an Enterprise Privacy Program



# Next Steps

- ▶ Agency Request Budget Policy Option Package #128 advanced to the Governor's Recommended Budget.
  - Creates 3 FTE Positions:
    - Chief Privacy Officer
    - Privacy Program Manager
    - Privacy Analyst
  - Provides funding of services and supplies to cover initial functions of office.
- ▶ Senate Bill 1073 codifies Chief Privacy Officer responsibilities and authority within statute.



*Thank you*

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