

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2416

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 18, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 18-105, to read:

4 18-105. Cybersecurity threats; state information technology;
5 standards; state employees and contractors;
6 prohibition; exceptions; definitions

7 A. NOT MORE THAN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS
8 SECTION, THE DEPARTMENT SHALL DEVELOP STANDARDS, GUIDELINES AND PRACTICES
9 FOR STATE AGENCIES, CONTRACTORS OF THIS STATE AND PUBLIC INSTITUTIONS OF
10 HIGHER EDUCATION THAT DO ALL OF THE FOLLOWING:

11 1. REQUIRE THE REMOVAL OF ANY COVERED APPLICATION FROM STATE
12 INFORMATION TECHNOLOGY.

13 2. ADDRESS THE USE OF PERSONAL ELECTRONIC DEVICES BY STATE EMPLOYEES
14 AND CONTRACTORS OF THIS STATE TO CONDUCT STATE BUSINESS, INCLUDING COVERED
15 APPLICATION-ENABLED CELL PHONES WITH REMOTE ACCESS TO AN EMPLOYEE'S STATE
16 EMAIL ACCOUNT.

17 3. IDENTIFY SENSITIVE LOCATIONS, MEETINGS OR PERSONNEL WITHIN A
18 STATE AGENCY THAT COULD BE EXPOSED TO COVERED APPLICATION-ENABLED PERSONAL
19 DEVICES AND DEVELOP RESTRICTIONS ON THE USE OF PERSONAL CELL PHONES,
20 TABLETS OR LAPTOPS IN A DESIGNATED SENSITIVE LOCATION.

21 B. EACH STATE AGENCY, CONTRACTOR OF THIS STATE AND PUBLIC
22 INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP POLICIES TO SUPPORT THE
23 IMPLEMENTATION OF THIS SECTION AND REPORT THE POLICY TO THE DEPARTMENT.

1 C. STATE EMPLOYEES AND CONTRACTORS OF THIS STATE MAY NOT CONDUCT
2 STATE BUSINESS ON ANY PERSONAL ELECTRONIC DEVICE THAT HAS A COVERED
3 APPLICATION.

4 D. EACH STATE AGENCY, CONTRACTOR OF THIS STATE AND PUBLIC
5 INSTITUTION OF HIGHER EDUCATION SHALL IMPLEMENT NETWORK-BASED RESTRICTIONS
6 TO PREVENT THE USE OF PROHIBITED TECHNOLOGIES ON AGENCY NETWORKS BY ANY
7 ELECTRONIC DEVICE. EACH STATE AGENCY, CONTRACTOR OF THIS STATE AND PUBLIC
8 INSTITUTION OF HIGHER EDUCATION SHALL STRICTLY ENFORCE THIS SECTION.

9 E. EACH STATE EMPLOYEE SHALL SIGN A DOCUMENT ANNUALLY CONFIRMING
10 THAT THE STATE EMPLOYEE UNDERSTANDS THE STANDARDS, GUIDELINES AND PRACTICES
11 ADOPTED PURSUANT TO THIS SECTION. A STATE EMPLOYEE WHO IS FOUND TO HAVE
12 VIOLATED THIS SECTION MAY BE SUBJECT TO DISCIPLINARY ACTION, INCLUDING
13 TERMINATION OF EMPLOYMENT.

14 F. THE DEPARTMENT SHALL REQUIRE ALL STATE AGENCIES AND PUBLIC
15 INSTITUTIONS OF HIGHER EDUCATION TO IMPLEMENT SECURITY CONTROLS ON STATE
16 INFORMATION TECHNOLOGY THAT DO ALL OF THE FOLLOWING:

17 1. RESTRICT ACCESS TO APPLICATION STORES OR UNAUTHORIZED SOFTWARE
18 REPOSITORIES TO PREVENT THE INSTALLATION OF UNAUTHORIZED APPLICATIONS.

19 2. HAVE THE ABILITY TO REMOTELY DISABLE NONCOMPLIANT OR COMPROMISED
20 STATE INFORMATION TECHNOLOGY.

21 3. HAVE THE ABILITY TO REMOTELY UNINSTALL UNAUTHORIZED SOFTWARE FROM
22 STATE INFORMATION TECHNOLOGY.

23 4. AS NECESSARY, DEPLOY SECURE BASELINE CONFIGURATION FOR STATE
24 INFORMATION TECHNOLOGY.

25 5. RESTRICT ACCESS TO ANY COVERED APPLICATION ON ALL AGENCY
26 TECHNOLOGY INFRASTRUCTURES, INCLUDING LOCAL NETWORKS, WIDE AREA NETWORKS,
27 AND VIRTUAL PRIVATE NETWORK CONNECTIONS.

28 6. RESTRICT ANY PERSONAL ELECTRONIC DEVICE THAT HAS A COVERED
29 APPLICATION FROM CONNECTING TO AGENCY TECHNOLOGY INFRASTRUCTURES OR STATE
30 DATA.

31 G. THE DEPARTMENT MAY GRANT EXCEPTIONS TO THIS SECTION TO ENABLE LAW
32 ENFORCEMENT INVESTIGATIONS AND OTHER APPROPRIATE USES OF COVERED

1 APPLICATIONS ON STATE-ISSUED DEVICES IF THE STATE AGENCY OR PUBLIC
2 INSTITUTION OF HIGHER EDUCATION REQUESTING ACCESS ESTABLISHES A SEPARATE
3 NETWORK WITH THE APPROVAL OF THE HEAD OF THE AGENCY OR PUBLIC INSTITUTION
4 OF HIGHER EDUCATION. THIS AUTHORITY MAY NOT BE DELEGATED. THE EXCEPTIONS
5 DESCRIBED IN THIS SUBSECTION MUST BE REPORTED TO THE ARIZONA DEPARTMENT OF
6 HOMELAND SECURITY. EXCEPTIONS MAY INCLUDE ANY OF THE FOLLOWING:

7 1. ACCOMPLISHING A SPECIFIC BUSINESS NEED, SUCH AS ENABLING A
8 CRIMINAL OR CIVIL INVESTIGATION OR SHARING INFORMATION TO THE PUBLIC DURING
9 AN EMERGENCY.

10 2. FOR PERSONAL ELECTRONIC DEVICES, EXTENUATING CIRCUMSTANCES
11 GRANTED FOR A PREDETERMINED PERIOD OF TIME. TO THE EXTENT PRACTICABLE,
12 EXCEPTION-BASED USAGE SHOULD BE PERFORMED ONLY ON PERSONAL ELECTRONIC
13 DEVICES THAT ARE NOT USED FOR OTHER STATE BUSINESS AND ON NONSTATE
14 NETWORKS. CAMERAS AND MICROPHONES MUST BE DISABLED ON PERSONAL ELECTRONIC
15 DEVICES FOR EXCEPTION-BASED USE.

16 H. A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY INCLUDE IN THE
17 POLICY SUBMITTED TO THE DEPARTMENT AN EXCEPTION TO ACCOMMODATE THE USE BY
18 STUDENTS OF A STATE EMAIL ADDRESS PROVIDED BY THE PUBLIC INSTITUTION OF
19 HIGHER EDUCATION. ANY EXCEPTION SHALL BE RESTRICTED TO THE STUDENT'S USE
20 OF A PERSONAL ELECTRONIC DEVICE THAT IS PRIVATELY OWNED OR LEASED BY THE
21 STUDENT OR A MEMBER OF THE STUDENT'S IMMEDIATE FAMILY AND SHALL INCLUDE
22 NETWORK SECURITY CONSIDERATIONS TO PROTECT THE PUBLIC INSTITUTION OF HIGHER
23 EDUCATION'S NETWORK AND DATA FROM TRAFFIC RELATED TO COVERED APPLICATIONS.

24 I. THE DEPARTMENT SHALL DEVELOP, ANNUALLY UPDATE AND PUBLISH A LIST
25 OF APPLICATIONS, SERVICES, HARDWARE AND SOFTWARE THAT MAY BE BANNED IF THE
26 APPLICATION, SERVICE, HARDWARE OR SOFTWARE PRESENTS A CYBERSECURITY THREAT
27 TO THIS STATE. THE DEPARTMENT SHALL NOTIFY EACH STATE AGENCY AND PUBLIC
28 INSTITUTION OF HIGHER EDUCATION AND THE DIRECTORS OF THE JOINT LEGISLATIVE
29 BUDGET COMMITTEE AND GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING
30 OF ANY APPLICATION, SERVICE, HARDWARE OR SOFTWARE THAT IS ADDED TO OR
31 REMOVED FROM THE LIST.

1 J. FOR THE PURPOSES OF THIS SECTION:

2 1. "CONFIDENTIAL OR SENSITIVE INFORMATION" INCLUDES INFORMATION
3 TECHNOLOGY CONFIGURATIONS, CRIMINAL JUSTICE INFORMATION, FINANCIAL DATA,
4 PERSONALLY IDENTIFIABLE DATA, SENSITIVE PERSONAL INFORMATION OR ANY DATA
5 PROTECTED BY FEDERAL OR STATE LAW.

6 2. "COVERED APPLICATION" MEANS A SOCIAL NETWORKING SERVICE AND ANY
7 CURRENT OR FUTURE SUCCESSOR APPLICATION OR SERVICE DEVELOPED OR PROVIDED BY
8 A PRIVATE CHINESE INTERNET TECHNOLOGY COMPANY FOUNDED ON MARCH 13, 2012 OR
9 ANY ENTITY OWNED OR OPERATED BY A PRIVATE CHINESE INTERNET TECHNOLOGY
10 COMPANY FOUNDED ON MARCH 13, 2012.

11 3. "PUBLIC INSTITUTION OF HIGHER EDUCATION" MEANS A UNIVERSITY UNDER
12 THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE AS
13 DEFINED IN SECTION 15-1401.

14 4. "SENSITIVE LOCATION":

15 (a) MEANS ANY LOCATION, WHETHER PHYSICAL OR ELECTRONIC, THAT IS USED
16 TO DISCUSS CONFIDENTIAL OR SENSITIVE INFORMATION.

17 (b) INCLUDES VIDEO CONFERENCING AND ELECTRONIC MEETINGS ROOMS.

18 5. "STATE BUSINESS" INCLUDES THE ACT OF ACCESSING ANY STATE-OWNED
19 DATA, STATE-OWNED APPLICATION, STATE EMAIL ACCOUNT, NONPUBLIC FACING
20 COMMUNICATION, VOICE OVER INTERNET PROTOCOL, SHORT MESSAGE SERVICE,
21 VIDEOCONFERENCING AND ANY OTHER STATE DATABASE OR APPLICATION.

22 6. "STATE EMPLOYEE":

23 (a) INCLUDES:

24 (i) ANY FULL-TIME OR PART-TIME EMPLOYEE OF THIS STATE.

25 (ii) A CONTRACTOR OF THIS STATE.

26 (iii) A PAID OR UNPAID INTERN OF THIS STATE.

27 (iv) ANY USER OF A STATE NETWORK.

28 (b) DOES NOT INCLUDE A COUNTY, CITY OR TOWN EMPLOYEE.

1 7. "STATE INFORMATION TECHNOLOGY" INCLUDES ALL STATE-ISSUED AND
2 OWNED CELL PHONES, LAPTOPS, TABLETS AND DESKTOP COMPUTERS AND ANY OTHER
3 STATE-ISSUED AND OWNED ELECTRONIC DEVICES THAT ARE CAPABLE OF INTERNET
4 CONNECTIVITY."
5 Amend title to conform

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C: AH