

RÉSUMÉ DIGEST

ACT 117 (SB 273)

2020 Regular Session

Hewitt

New law creates a registration for managed service providers doing business in this state with a public body, provide access for public bodies to obtain information on managed service providers, and require managed service providers to report cyber incidents and the payment of cyber ransom or ransomware.

Defines "cyber incident", "cyber ransom or ransomware", "Louisiana Fusion Center", "managed service provider", "managed security service provider", "managed security service", and "public body".

Prohibits a provider from providing managed security services to a public body in this state unless the provider has registered with the secretary of state and remains in good standing.

Provides for an application process for providers that manage a public body's information technology infrastructure, security, or end-user systems.

Requires providers with actual knowledge of any cyber incident impacting a public body to notify the La. Fusion center within 24 hours of discovery.

Requires providers to report any payment of cyber ransom or ransomware involving a public body by the provider or public body within 10 calendar days of the payment of the ransom to the La. Fusion Center.

Prior law provided exceptions to the public records law.

New law retains prior law and provides that reports of cyber incidents or the payment of cyber ransom or ransomware involving a public body shall not be public record. Further provides that any information that constitutes critical infrastructure information as defined in federal law, 6 U.S.C. 671, whether the information has been shared with any federal governmental agency, shall not be public record.

New law prohibits a public body in this state from entering into a contract with a managed service provider or managed security service provider that has not registered with the secretary of state or has failed to renew its registration with the secretary of state and provides that such a contract is null and void.

New law authorizes the secretary of state to adopt rules and regulations to implement new law.

Authorizes the secretary of state to adopt rules effective August 1, 2020. The remaining provisions of the Act become effective February 1, 2021.

Effective See Act.

(Adds R.S. 44:4.1(D) and R.S. 51:2111-2116)