

BILL ANALYSIS

H.B. 351
By: Blanco
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that cyber attacks are an increasing threat and are costly for the state. Due to the damage, cost, and rapid evolution of cyber threats, there have been calls to include cyber attacks among the events that would qualify as a disaster and therefore be eligible for a disaster declaration. H.B. 351 seeks to include reducing vulnerability to cyber attacks among the purposes of relevant state disaster laws and including a cyber attack among the occurrences considered to be a disaster.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 351 amends the Government Code to include among the purposes of the Texas Disaster Act of 1975 reducing vulnerability of people and communities of Texas to cyber attacks. The bill defines "cyber attack" as an attempt to damage, disrupt, or gain unauthorized access to a computer, computer network, or computer system. The bill includes a cyber attack among the occurrences or imminent threats that are considered a disaster for purposes of that act. The bill authorizes the governor to order the Department of Information Resources to disconnect a computer network from the Internet in the event of a cyber attack.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.