

House Engrossed Senate Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 69

SENATE BILL 1324

AN ACT

AMENDING SECTIONS 41-1801 AND 41-1803, ARIZONA REVISED STATUTES; RELATING TO
THE CRITICAL INFRASTRUCTURE INFORMATION SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1801, Arizona Revised Statutes, is amended to
3 read:

4 41-1801. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Critical infrastructure" means systems and assets, whether
7 physical or virtual, that are so vital to this state and the United States
8 that the incapacity or destruction of those systems and assets would have a
9 debilitating impact on security, economic security, public health or safety.

10 2. "Critical infrastructure information":

11 (a) Means information that is not customarily in the public domain,
12 and that is related to the security of critical infrastructure or protected
13 systems and that is related to any of the following:

14 ~~(a) (i) An attack, either physical or computer based.~~ A DISASTER,
15 EITHER HUMAN CAUSED, COMPUTER BASED OR NATURAL.

16 ~~(b) (ii) The ability of critical infrastructure to resist such an~~
17 ~~attack~~ A DISASTER, including planned or past assessments of vulnerability and
18 risk management planning.

19 ~~(c) (iii) Planned or past operational problems regarding critical~~
20 ~~infrastructure.~~

21 (b) INCLUDES EMERGENCY RESPONSE PLANS.

22 3. "Critical infrastructure information system" means a program that
23 uses advanced technologies to provide personnel who are involved in homeland
24 security planning and operations with real time information regarding
25 critical infrastructure within this state and critical infrastructure located
26 outside of this state that may affect the safety and well-being of citizens
27 of this state.

28 Sec. 2. Section 41-1803, Arizona Revised Statutes, is amended to read:

29 41-1803. Statewide critical infrastructure information system;
30 disclosure; definition

31 A. The department of public safety shall establish and operate a
32 statewide critical infrastructure information system.

33 B. When the department of public safety declares through written
34 notice to all state agencies and local governments that the statewide
35 critical infrastructure information system is operational, all state agencies
36 and local governments shall only use the statewide critical infrastructure
37 information system and shall not operate independent critical infrastructure
38 information systems. State agencies and local governments are not required
39 to use the statewide system if they are operating or developing a critical
40 infrastructure information system before the department of public safety
41 declares that the statewide critical infrastructure information system is
42 operational. State agencies and local governments shall make efforts to
43 ensure that the statewide system is interoperable with other critical
44 infrastructure information systems allowed by law.

1 C. All state and local government-owned critical infrastructure
2 facilities that are occupied by state or local government employees shall be
3 added to the statewide critical infrastructure information system when
4 funding is available. Nothing in this article requires any state agency or
5 local government to add a critical infrastructure facility to the system
6 unless the entire cost of adding the facility is provided by available
7 federal monies.

8 D. Except for state and local government-owned critical infrastructure
9 facilities, any entity may voluntarily participate in the statewide critical
10 infrastructure information system at ~~their~~ ITS own cost. Tribal
11 participation shall be supported with federal monies provided directly or by
12 this state under procedures established for grant allocations by the office
13 of the governor.

14 E. Consistent with the guidelines developed under section 41-1804, the
15 department of public safety shall make critical infrastructure information
16 available, consistent with information protection procedures, to all state,
17 local, federal and tribal law enforcement agencies, the department of
18 emergency and military affairs, public health organizations, the ARIZONA
19 department of agriculture, the department of health services, fire
20 departments and other organizations as necessary to safeguard personnel and
21 property in this state.

22 F. The department of public safety shall pursue federal monies for all
23 state and local critical infrastructure facilities to be added to the system.

24 G. All critical infrastructure AND KEY RESOURCE information THAT IS
25 PROTECTED BY THE CRITICAL INFRASTRUCTURE INFORMATION ACT OF 2002 (6 UNITED
26 STATES CODE SECTION 133) AND THAT IS provided to ~~the department of public~~
27 ~~safety or any local government~~ OR IN THE POSSESSION OF ANY STATE AGENCY OR
28 POLITICAL SUBDIVISION OF THIS STATE, OR AN AUTHORIZED AGENT OF A STATE AGENCY
29 OR POLITICAL SUBDIVISION, is CONFIDENTIAL AND exempt from public disclosure
30 UNDER THIS CHAPTER AND TITLE 39, CHAPTER 1. WHEN INFORMATION IS PROVIDED
31 PURSUANT TO THIS SUBSECTION, THE PROVIDER IS RESPONSIBLE FOR NOTIFYING THE
32 RECIPIENT THAT SUCH INFORMATION IS CRITICAL INFRASTRUCTURE OR KEY RESOURCE
33 INFORMATION.

34 H. For the purposes of this article, "local government" means any
35 county, city, town, school district or tribal law enforcement agency.

APPROVED BY THE GOVERNOR APRIL 5, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2013.

Passed the House March 26, 2013,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 25, 2013

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1324

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 3, 20 13

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

3 day of April, 20 13

at 12:05 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 5th day of

April

at 2:40 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 5th day of April, 20 13

at 5:00 o'clock M.

[Signature]
Secretary of State