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H.B. 507
135th General Assembly

Bill Analysis

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Version: As Reported by House Technology and Innovation

Primary Sponsor: Rep. Hillyer

Reid J. Fleeson, Attorney

SUMMARY

- Extends eligibility to political subdivisions for affirmative defenses against claims that a failure to implement reasonable information security controls resulted in a data breach concerning personal information or restricted information.

DETAILED ANALYSIS

Affirmative defense eligibility

The bill extends eligibility to political subdivisions for affirmative defenses against claims that a failure to implement reasonable information security controls resulted in a data breach concerning personal information or restricted information. To be eligible for the affirmative defense, a political subdivision, like a business under current law, must create, maintain, and comply with a written cybersecurity program that contains specified safeguards for the protection of personal information, restricted information, or both.

Under current law, eligibility for such affirmative defenses applies to covered entities. A "covered entity" is a business that accesses, maintains, communicates, or processes personal information or restricted information in or through one or more systems, networks, or services located in or outside Ohio. The bill adds "political subdivisions" to the definition of "covered entity," and defines "political subdivision" as a municipal corporation, township, county, park district, conservancy district, sanitary district, sewer district, special water district, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.¹

¹ R.C. 1354.01; R.C. 1354.02 and 1354.03, not in the bill.

For more information on the affirmative defense under current law, see the LSC [Final Analysis for S.B. 220, 132nd General Assembly \(PDF\)](#), which is available on the General Assembly's website: www.legislature.ohio.gov.

HISTORY

Action	Date
Introduced	04-24-24
Reported, H. Technology & Innovation	12-04-24
