



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

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Sub. S.B. 220

132nd General Assembly

(House Government Accountability & Oversight Committee)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Passed by the Senate)	Sub. Version (L_132_0943-9)
"Business" definition	Defines "business" as "any limited liability company, limited liability partnership, corporation, sole proprietorship, association, or other group, however organized and whether operating for profit or not for profit, including a financial institution organized, chartered, or holding a license authorizing operation under the laws of this state, any other state, the United States, or any other country, or the parent or subsidiary of a financial institution." <i>(R.C. 1354.01.)</i>	Defines "business" as "any limited liability company, limited liability partnership, corporation, sole proprietorship, association, or other group, however organized and whether operating for profit or not for profit, including a financial institution organized, chartered, or holding a license authorizing operation under the laws of this state, any other state, the United States, or any other country, or the parent or subsidiary of <i>any of the foregoing.</i> " <i>(R.C. 1354.01.)</i>
Ownership, licensing and acquisition of information by a party	Refers to information owned or licensed by a "person" and acquisition of information by a "person's" employee or a "person's" agent. <i>(R.C. 1354.01.)</i>	Instead, refers to information owned by or licensed to a "covered entity" and acquisition of information by a "covered entity" or a "covered entity's" agent. "Covered entity" is defined as "a business that accesses, maintains,

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		communicates, or processes personal information or restricted information in or through one or more systems, networks, or services located in or outside this state." (R.C. 1354.01.)
"Restricted information" definition	Defines "restricted information" as any information about an individual, other than personal information, that can be used to distinguish or trace the individual's identity or that is linked or linkable to an individual, if the information is not encrypted, redacted, or altered by any method or technology in such a manner that the information is unreadable. (R.C. 1354.01.)	Adds that "restricted information" means any information about an individual, other than personal information, that, <i>alone or in combination with other information, including personal information</i> , can be used to distinguish or trace the individual's identity or that is linked or linkable to an individual, if the information is not encrypted, redacted, or altered by any method or technology in such a manner that the information is unreadable, <i>and the breach of which is likely to result in a material risk of identity theft or other fraud to person or property.</i> (R.C. 1354.01.)
"Individual" definition	No provision.	Specifies that "individual" has the same definition as used in R.C. 1349.19, in which "individual" means "natural person." (R.C. 1354.01.)
Standard of adherence to framework	Directs covered entities to "comply with" cybersecurity frameworks and requirements. (R.C. 1354.02 and 1354.03.)	Instead, directs covered entities to "conform to" certain cybersecurity frameworks, and "satisfy" rather than "comply with" certain elements of the affirmative defense, but continues to direct agencies to "comply with" the payment card industry data standard. (R.C. 1354.02 and 1354.03.)

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<p>Sufficiency of covered entity's cybersecurity program</p>	<p>Specifies that a covered entity's cybersecurity program reasonably complies with an industry recognized cybersecurity framework if the entity is regulated by the state, the federal government, or both, and the framework conforms to the current version of:</p> <p>(a) The security requirements of the "Health Insurance Portability and Accountability Act of 1996";</p> <p>(b) Title V of the "Gramm-Leach-Bliley Act of 1999"; or</p> <p>(c) The "Federal Information Security Modernization Act of 2014." (R.C. 1354.03.)</p>	<p>Additionally allows a covered entity to reasonably conform to an industry recognized cybersecurity framework under this provision if the entity is otherwise subject to the requirements of any of the laws or regulations listed. (R.C. 1354.03.)</p> <p>Adds to the list of laws:</p> <p>(d) The "Health Information Technology for Economic and Clinical Health Act." (R.C. 1354.03.)</p>

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