

DECLARATION OF EMERGENCY

Office of the Governor
Division of Administration
Louisiana Property Assistance Agency

Electronic Media Sanitization (LAC 34:VII.307 and 509)

Under the authority of R.S. 39:332., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Property Assistance Agency finds that an imminent peril to the public safety requires adoption of a Rule upon shorter notice than that provided in R.S. 49:953(A), as provided in R.S. 49:953(B), relative to sanitizing surplus electronic equipment to prevent the release of sensitive personal information. This Emergency Rule also requires all electronic media assets be tagged and entered into the agency's official system of recordation regardless of original acquisition cost.

It is necessary to adopt this Emergency Rule to have this procedure in place until the corresponding permanent Rule can be adopted. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall take effect December 4, 2014, and shall be in effect for the maximum period allowed under the Act (120 days) or until adoption of the final Rule, whichever occurs first.

Title 34

GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY CONTROL

Part VII. Property Control

Chapter 3. State Property Inventory

§307. Items of Property to be Inventoried

A. All items of moveable property having an "original" acquisition cost, when first purchased by the state of Louisiana, of \$1000 or more, all gifts and other property having a fair market value of \$1000 or more, and all weapons and electronic media assets, regardless of cost, with the exception of items specifically excluded in §307.E, must be placed on the statewide inventory system. The term "moveable" distinguishes this type of equipment from equipment attached as a permanent part of a building or structure. The term "property" distinguishes this type of equipment from "supplies" with supplies being consumable through normal use in no more than one year's time. All acquisitions of qualified items must be tagged with a uniform state of Louisiana identification tag approved by the Commissioner of Administration and all pertinent inventory information must be forwarded to the Louisiana Property Assistance Agency director or his designee within 60 calendar days after receipt of these items. In instances when equipment must be installed and/or tested before acceptance by the agency, the calendar days will begin upon official acceptance by the agency.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:321 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Property Control Section, LR 2:228 (August 1976), amended 8:277 (June 1982), amended by the Office of the Governor, Division of Administration, Louisiana Property Assistance Agency, LR 15:832 (October 1989), LR 18:1256 (November 1992), LR 28:481 (March 2002), LR 41:

Chapter 5. State Property Disposition

§509. Disposal and Surplus of Electronic Equipment

A. Policy. Electronic media, as defined by Office of Technology Services IT-POL-1-04 Data Sanitization Policy, that are subject to surplus, transfer, disposal, or otherwise permanently leave the possession of a state agency or its agents, except for lawful purpose shall be sanitized in accordance with Office of Technology Services IT-STD-1-17 Data Sanitization – Standards and Requirements.

B. Scope. All entities under the authority of the Louisiana Property Assistance Agency, pursuant to the provisions of R.S. 39:321 et seq., or any political subdivision that desires to utilize LPAA services must comply with this policy.

C. Responsibilities

1. Agencies shall establish policies and procedures to ensure compliance with this policy.
2. Agencies shall attest that they have sanitized all electronic equipment in accordance with the Office of Technology Services Policy IT-POL-1-04 Data Sanitization Policy prior to requesting permission to surplus or dispose of the electronic equipment.
3. Attestation shall be evidenced in a manner prescribed by LPAA PPM 11, Data Sanitization.

D. Related Policies, Standards, Guidelines. The following policies can be viewed on the respective agencies' websites.

1. Office of Technology Services IT-POL-1-04 Data Sanitization Policy
2. Office of Technology Services IT-STD-1-17 Data Sanitization – Standards and Requirements
3. LPAA PPM No. 11, Data Sanitization

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:200.C, R.S. 39:326, R.S. 39:330, R.S. 39:330.1-2 and R.S. 39:332.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Louisiana Property Assistance Agency, LR 41:

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on: (1) the staffing level requirements or qualifications required to provide the same level of service; (2) the total direct and indirect effect on the cost to the providers to provide the same level of service; or (3) the overall effect on the ability of the provider to provide the same level of service.

Signature: _____



Date: _____

12/4/2014

Kristy H. Nichols
Commissioner of Administration