



New DIR Cyber Incident Reporting Requirement

A [newly-enacted state law \(S.B. 271\)](#) requires state agencies and local governments – including cities – that experience a cybersecurity incident (or even a “suspected” incident) to:

1. report to the Department of Information Resources (DIR) within 48 hours after discovery (or to notify the Secretary of State if the incident involves election data); and
2. comply with the notification requirements of [Business & Commerce Code Section 521.052](#) to the same extent as a person who conducts business in this state.

The law also requires a local government to report to DIR the details of the security incident and an analysis of the cause of the incident within 10 days after incident eradication, closure, and recovery.

DIR has launched a portal for local governments to report an incident and has provided [the following information](#) about the reporting requirement:

- **Who is required to report:** State and local governments that own, license, or maintain computerized data that includes sensitive personal information, confidential information, or information the disclosure of which is regulated by law – and that experience a security incident – are required to report. (The reporting requirement does not apply to a security incident that a local government is required to report to ERCOT under [Utilities Code Section 39.151](#).)
- **What is a security incident:** A “security incident” is defined as:
 1. a breach or suspected breach of system security as defined by [Business & Commerce Code Section 521.053](#); and
 2. the introduction of ransomware, as defined by [Penal Code Section 33.023](#), into a computer, computer network, or computer system.
- **How to Report:** Incident reports are submitted via the [Archer Engage](#) secure webform. To submit an incident:
 1. Create an Engage account.
 2. Log into Engage (enter username and password; submit one-time verification code – if after logging in you are not redirected to the incident form, please click the Engage link again.)
 3. Submit incident report and receive email confirmation, this email may be delayed by up to 30 minutes from when you submit your report (retain email confirmation with incident ID).
 4. Submit incident closure and receive email confirmation.
- **If you have problems:** If you are unable to submit an incident using the reporting form, contact the DIR Incident Response Hotline at (877) DIR-CISO for assistance. In addition, DIR has prepared the [Local Government Incident Reporting User Guide](#) with more information.