

**NEW YORK STATE
DEPARTMENT OF FINANCIAL SERVICES
23 NYCRR 500.17 AND APPENDIX A**

CERTIFICATION OF COMPLIANCE, DUE DATE

I, Linda A. Lacewell, Superintendent of Financial Services, pursuant to the authority granted by sections 102, 201, 202, 301, 302 and 408 of the Financial Services Law, do hereby promulgate this amendment to Section 500.17 and Appendix A of Title 23 of the Official Compilation of Codes, Rules and Regulations of the State of New York, to take effect upon publication of the Notice of Adoption in the State Register to read as follows:

(New Matter is Underscored; Matter in Brackets is Deleted)

Subdivision (b) of Section 500.17 is amended to read as follows:

(b) Annually each Covered Entity shall submit to the superintendent a written statement covering the prior calendar year. This statement shall be submitted by [February] April 15 in such form set forth as Appendix A, certifying that the Covered Entity is in compliance with the requirements set forth in this Part. Each Covered Entity shall maintain for examination by the Department all records, schedules and data supporting this certificate for a period of five years. To the extent a Covered Entity has identified areas, systems or processes that require material improvement, updating or redesign, the Covered Entity shall document the identification and the remedial efforts planned and underway to address such areas, systems or processes. Such documentation must be available for inspection by the superintendent.

Appendix A is amended to read as follows:

(Covered Entity Name)
[February] April 15, 20 _____

Certification of Compliance with New York State Department of Financial Services Cybersecurity Regulations
The Board of Directors or a Senior Officer(s) of the Covered Entity certifies:

(1) The Board of Directors (or name of Senior Officer(s)) has reviewed documents, reports, certifications and opinions of such officers, employees, representatives, outside vendors and other individuals or entities as necessary;

(2) To the best of the (Board of Directors) or (name of Senior Officer(s)) knowledge, the Cybersecurity Program of (name of Covered Entity) as of ____ (date of the Board Resolution or Senior Officer(s) Compliance Finding) for the year ended ____ (year for which Board Resolution or Compliance Finding is provided) complies with Part ____.

Signed by the Chairperson of the Board of Directors or Senior Officer(s)
(Name) _____ Date: _____

(DFS Portal Filing Instructions)



Department of Financial Services

ANDREW M. CUOMO
Governor

LINDA A. LACEWELL
Superintendent

CERTIFICATION

I, Linda A. Lacewell, Superintendent of Financial Services, do hereby certify that the foregoing is the amendment of Section 500.17 and Appendix A of Title 23 of the Official Compilation of Codes, Rules and Regulations of the State of New York, signed by me on April 2, 2020, pursuant to the authority granted by Sections 102, 201, 202, 301, 302 and 408 of the Financial Services Law, to take effect upon publication of the Notice of Adoption in the State Register.

Pursuant to the provisions of the State Administrative Procedure Act, prior notice of the proposed rule was published in the New York State Register on January 8, 2020. No other publication or prior notice is required by statute.

Linda A. Lacewell
Superintendent of Financial Services

Dated: April 2, 2020