

# SENATE BILL 494

P1

3lr2680  
CF HB 937

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By: **Senators Pugh, Conway, Forehand, Garagiola, Jones-Rodwell, King, Madaleno, Montgomery, ~~and Muse~~ Muse, Middleton, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Ramirez, and Pipkin**

Introduced and read first time: January 31, 2013  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 12, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Commission on Maryland Cybersecurity Innovation and Excellence – Duties**

3 FOR the purpose of requiring the Commission on Maryland Cybersecurity Innovation  
4 and Excellence to study ~~how telemedicine can be used to reduce health care~~  
5 ~~disparities and address certain provider shortages~~ and develop certain  
6 strategies and recommendations for advancing telemedicine technologies and  
7 use; and generally relating to the duties of the Commission on Maryland  
8 Cybersecurity Innovation and Excellence.

9 BY repealing and reenacting, with amendments,  
10 Article – State Government  
11 Section 9–2901  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2012 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – State Government**

17 9–2901.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) There is a Commission on Maryland Cybersecurity Innovation and  
2 Excellence.

3 (b) (1) The Commission consists of the following members:

4 (i) one member of the Senate of Maryland, appointed by the  
5 President of the Senate;

6 (ii) one member of the House of Delegates, appointed by the  
7 Speaker of the House;

8 (iii) the Secretary of Information Technology, or the Secretary's  
9 designee;

10 (iv) the Secretary of Business and Economic Development, or the  
11 Secretary's designee;

12 (v) the Secretary of the Department of Labor, Licensing, and  
13 Regulation, or the Secretary's designee;

14 (vi) the Executive Director of the Maryland Technology  
15 Development Corporation, or the Executive Director's designee;

16 (vii) the Chair of the Tech Council of Maryland, or the Chair's  
17 designee;

18 (viii) the President of the Fort Meade Alliance, or the President's  
19 designee; and

20 (ix) the following members appointed by the Governor:

21 1. five representatives of cybersecurity companies  
22 located in the State, with at least three representing cybersecurity companies with 50  
23 employees or less;

24 2. three representatives from statewide or regional  
25 business associations;

26 3. four representatives from institutions of higher  
27 education located in the State;

28 4. one representative of a crime victims organization;

29 5. three representatives from industries that may be  
30 susceptible to attacks on cybersecurity; and

1                   6.     one representative of an organization that has  
2 expertise in electronic health care records.

3                   (2)     The Governor also shall invite the following representatives of  
4 federal agencies to serve on the Commission:

5                   (i)     the Director of the National Institute for Standards and  
6 Technology, or the Director's designee;

7                   (ii)    the Secretary of Defense, or the Secretary's designee;

8                   (iii)  the Director of the National Security Agency, or the  
9 Director's designee;

10                  (iv)    the Secretary of Homeland Security, or the Secretary's  
11 designee;

12                  (v)     the Director of the Defense Information Systems Agency, or  
13 the Director's designee; and

14                  (vi)   the Director of the Intelligence Advanced Research Projects  
15 Activity, or the Director's designee.

16                  (c)     The members appointed by the Presiding Officers of the General  
17 Assembly shall cochair the Commission.

18                  (d)     The University of Maryland University College shall provide staff for the  
19 Commission.

20                  (e)     A member of the Commission:

21                   (1)     may not receive compensation as a member of the Commission; but

22                   (2)     is entitled to reimbursement for expenses under the Standard  
23 State Travel Regulations, as provided in the State budget.

24                  (f)     The purpose of the Commission is to provide a road map for making the  
25 State the epicenter of cybersecurity innovation and excellence.

26                  (g)     The Commission shall:

27                   (1)     conduct a comprehensive review of and identify any inconsistencies  
28 in:

29                   (i)     State and federal cybersecurity laws; and

- 1 (ii) policies, standards, and best practices for ensuring the  
2 security of computer systems and networks used by educational institutions and State  
3 government and other organizations that work with health care records, personal  
4 identification information, public safety, and public service and utilities;
- 5 (2) conduct a comprehensive review of the State's role in promoting  
6 cyber innovation;
- 7 (3) identify any federal preemption issues relating to cybersecurity;
- 8 (4) provide recommendations for:
- 9 (i) a comprehensive State framework and strategic plan for  
10 cybersecurity innovation and excellence;
- 11 (ii) a comprehensive State strategic plan to ensure a  
12 coordinated and adaptable response to and recovery from attacks on cybersecurity;
- 13 (iii) coordinated and unified policies to clarify the roles and  
14 responsibilities of State units regarding cybersecurity;
- 15 (iv) growth opportunities and economic development strategies  
16 and action plans; and
- 17 (v) strategies that can be used to coordinate State and federal  
18 resources to attract private sector investment and job creation in cybersecurity;
- 19 (5) make recommendations regarding:
- 20 (i) methods the State can use to increase cybersecurity  
21 innovation by:
- 22 1. promoting public and private partnerships, research  
23 and development, and workforce training, education, and development;
- 24 2. promoting science, technology, engineering, and  
25 mathematics courses in all levels of education;
- 26 3. helping companies transfer research to product;
- 27 4. protecting intellectual properties; and
- 28 5. leveraging federal funds for research, development,  
29 and commercialization;

1 (ii) methods that the State can use to promote collaboration and  
2 coordination among cybersecurity companies and among institutions of higher  
3 education located in the State;

4 (iii) a unit of State government that is suitable to run a pilot  
5 program regarding cybersecurity; and

6 (iv) the designation of a cybersecurity policy official that would  
7 be responsible for coordinating the State's cybersecurity policies, strategies, and  
8 activities; AND

9 **(6) STUDY HOW TELEMEDICINE CAN BE USED TO REDUCE HEALTH**  
10 **CARE DISPARITIES AND ADDRESS PRIMARY CARE AND SPECIALTY CARE**  
11 **PROVIDER SHORTAGES ACROSS THE CONTINUUM OF CARE AND DEVELOP**  
12 **STRATEGIES AND RECOMMENDATIONS FOR ADVANCING TELEMEDICINE**  
13 **TECHNOLOGIES AND USE, INCLUDING:**

14 **(I) METHODS OF SUPPORTING INNOVATION,**  
15 **DEVELOPMENT, AND INVESTMENT IN THE EMERGING TECHNOLOGY;**

16 **(II) THE PROTECTION OF DATABASES IN THE USE OF**  
17 **TELEMEDICINE; AND**

18 **(III) ANY OTHER ISSUES RELATING TO ADVANCING AND**  
19 **SUPPORTING TELEMEDICINE TECHNOLOGIES AND USE THAT THE COMMISSION**  
20 **CONSIDERS APPROPRIATE.**

21 (h) On or before January 1, 2012, the Commission shall submit an interim  
22 report of its findings and recommendations, including recommended legislation, to the  
23 Governor and, in accordance with § 2-1246 of this article, the General Assembly.

24 (i) On or before September 1, 2014, the Commission shall submit a final  
25 report of its findings and recommendations, including recommended legislation, to the  
26 Governor and, in accordance with § 2-1246 of this article, the General Assembly.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2013.