

# HOUSE BILL 1129

P1, L6, P4

11r1564  
CF 11r2196

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By: **Delegate Krimm**

Introduced and read first time: February 5, 2021

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Information Technology – State and Local Government**  
3 **Employees and Contractors – Cybersecurity Training**

4 FOR the purpose of requiring the Department of Information Technology, in coordination  
5 with the Maryland Cybersecurity Council, to develop criteria for the certification of  
6 certain cybersecurity training programs for a certain purpose, certify at least a  
7 certain number of programs, review and update certain certification standards at  
8 certain times, and maintain a list of certain programs on its website; requiring the  
9 certification criteria for certain programs to include certain requirements;  
10 authorizing the Department to contract with a third party to certify certain  
11 programs; requiring certain State and local government employees to complete a  
12 certain certified program each year; authorizing a unit to specify which certified  
13 program its employees are required to complete; specifying that a unit shall select a  
14 certain certification program based on certain factors; authorizing a unit to set  
15 different cybersecurity training requirements for different employees based on  
16 certain factors; requiring a unit to report certain information to the Department each  
17 year; requiring the Department to require certain periodic audits; requiring local  
18 governments to require certain audits; requiring the Department to approve at least  
19 one certified program to be used to train certain contractors; requiring certain  
20 contracts to contain a certain clause; requiring certain contractors to complete a  
21 certain certified program within a certain period of time; requiring a certain  
22 contractor to verify completion of a certain cybersecurity training program to a  
23 certain unit; requiring a unit to conduct certain periodic audits for a certain purpose;  
24 requiring the Department to adopt certain regulations; defining certain terms; and  
25 generally relating to cybersecurity training requirements for State and local  
26 government employees and contractors.

27 BY adding to

28 Article – State Finance and Procurement

29 Section 3A–801 through 3A–805 to be under the new subtitle “Subtitle 8.  
30 Cybersecurity Training”

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2015 Replacement Volume and 2020 Supplement)

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

5 **Article – State Finance and Procurement**

6 **SUBTITLE 8. CYBERSECURITY TRAINING.**

7 **3A-801.**

8 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
9 INDICATED.

10 (B) “CERTIFIED PROGRAM” MEANS A CYBERSECURITY TRAINING PROGRAM  
11 CERTIFIED BY THE DEPARTMENT UNDER § 3A-802 OF THIS SUBTITLE.

12 (C) “CONTRACTOR” INCLUDES A CONTRACTOR, SUBCONTRACTOR, OFFICER  
13 OF A CONTRACTOR OR SUBCONTRACTOR, OR AN EMPLOYEE OF A SUBCONTRACTOR  
14 OR CONTRACTOR.

15 (D) “LOCAL GOVERNMENT” MEANS:

16 (1) A COUNTY;

17 (2) A MUNICIPAL CORPORATION; OR

18 (3) A UNIT OF A COUNTY OR A MUNICIPAL CORPORATION.

19 (E) “UNIT” MEANS AN AGENCY OR A UNIT OF STATE OR LOCAL  
20 GOVERNMENT.

21 **3A-802.**

22 (A) THE DEPARTMENT, IN COORDINATION WITH THE MARYLAND  
23 CYBERSECURITY COUNCIL, SHALL:

24 (1) DEVELOP CRITERIA FOR THE CERTIFICATION OF CYBERSECURITY  
25 TRAINING PROGRAMS FOR USE BY STATE AND LOCAL GOVERNMENT EMPLOYEES  
26 REQUIRED TO COMPLETE CYBERSECURITY TRAINING EACH YEAR;

27 (2) CERTIFY AT LEAST 20 CYBERSECURITY TRAINING PROGRAMS;

1           **(3) EACH YEAR REVIEW AND UPDATE CERTIFICATION STANDARDS**  
2 **FOR CYBERSECURITY TRAINING PROGRAMS; AND**

3           **(4) MAINTAIN ON ITS WEBSITE A LIST OF ALL CERTIFIED PROGRAMS.**

4           **(B) THE CERTIFICATION CRITERIA SHALL INCLUDE REQUIREMENTS THAT**  
5 **EACH CYBERSECURITY TRAINING PROGRAM INCLUDE ACTIVITIES, CASE STUDIES,**  
6 **HYPOTHETICAL SITUATIONS, AND OTHER METHODS THAT:**

7           **(1) FOCUS ON FORMING INFORMATION SECURITY HABITS AND**  
8 **REASONABLE SECURITY PROCEDURES THAT PROTECT INFORMATION RESOURCES,**  
9 **PERSONAL INFORMATION, AND RECORDS; AND**

10           **(2) TEACH BEST PRACTICES FOR DETECTING, ASSESSING,**  
11 **REPORTING, AND ADDRESSING INFORMATION SECURITY THREATS.**

12           **(C) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO CERTIFY**  
13 **CYBERSECURITY TRAINING PROGRAMS UNDER THIS SECTION.**

14 **3A-803.**

15           **(A) (1) AT LEAST ONCE EACH YEAR, EACH UNIT EMPLOYEE SHALL**  
16 **COMPLETE A CERTIFIED PROGRAM IF THAT EMPLOYEE'S JOB-RELATED DUTIES**  
17 **INCLUDE ACCESSING GOVERNMENT COMPUTER SYSTEMS OR DATABASES.**

18           **(2) A UNIT MAY SPECIFY WHICH CERTIFIED PROGRAM ITS**  
19 **EMPLOYEES ARE REQUIRED TO COMPLETE.**

20           **(3) IF A UNIT REQUIRES EMPLOYEES TO COMPLETE A PARTICULAR**  
21 **CERTIFIED PROGRAM OR PROGRAMS, THE UNIT SHALL SELECT ONE OR MORE**  
22 **CERTIFIED PROGRAMS BASED ON THE PROGRAMS' RELEVANCE TO THE EMPLOYEE'S**  
23 **WORK OR RESPONSIBILITIES.**

24           **(4) A UNIT MAY SET DIFFERENT CYBERSECURITY TRAINING**  
25 **REQUIREMENTS FOR DIFFERENT EMPLOYEES BASED ON THEIR POSITIONS OR**  
26 **TITLES.**

27           **(B) EACH UNIT SHALL REPORT TO THE DEPARTMENT EACH YEAR:**

28           **(1) THE CERTIFIED PROGRAM OR PROGRAMS THAT WERE SELECTED**  
29 **TO BE COMPLETED BY ITS EMPLOYEES; AND**

1           **(2) THE PERCENTAGE OF EMPLOYEES THAT COMPLETED EACH**  
2 **CERTIFIED PROGRAM.**

3           **(C) (1) THE DEPARTMENT SHALL REQUIRE PERIODIC AUDITS OF STATE**  
4 **UNITS TO ENSURE COMPLIANCE WITH THIS SECTION.**

5           **(2) LOCAL GOVERNMENTS SHALL REQUIRE PERIODIC AUDITS OF**  
6 **THEIR UNITS TO ENSURE COMPLIANCE WITH THIS SECTION.**

7 **3A-804.**

8           **(A) (1) THE DEPARTMENT SHALL APPROVE AT LEAST ONE CERTIFIED**  
9 **PROGRAM TO BE USED TO TRAIN SAFE CYBERSECURITY PRACTICES TO**  
10 **CONTRACTORS THAT HAVE ACCESS TO A UNIT'S COMPUTER SYSTEMS OR**  
11 **DATABASES.**

12           **(2) EACH CONTRACT ENTERED INTO BY A UNIT SHALL CONTAIN A**  
13 **CLAUSE REQUIRING EACH CONTRACTOR TO COMPLETE A CERTIFIED PROGRAM**  
14 **APPROVED FOR CONTRACTORS UNDER THIS SUBSECTION IF, UNDER THE TERMS OF**  
15 **THE CONTRACT, THE CONTRACTOR HAS ACCESS TO THE UNIT'S COMPUTER SYSTEMS**  
16 **OR DATABASES.**

17           **(B) EACH CONTRACTOR REQUIRED TO COMPLETE A CERTIFIED PROGRAM**  
18 **SHALL COMPLETE A CERTIFIED PROGRAM AT LEAST ONCE EACH YEAR DURING THE**  
19 **TERM OF THE CONTRACT, INCLUDING ANY CONTRACT RENEWAL PERIOD.**

20           **(C) EACH CONTRACTOR REQUIRED TO COMPLETE A CERTIFIED PROGRAM**  
21 **UNDER THIS SECTION SHALL VERIFY COMPLETION OF THE PROGRAM TO THE**  
22 **CONTRACTING UNIT.**

23           **(D) EACH UNIT SHALL:**

24           **(1) REPORT EACH YEAR TO THE DEPARTMENT ON WHICH CERTIFIED**  
25 **PROGRAM OR PROGRAMS EACH CONTRACTOR COMPLETED; AND**

26           **(2) CONDUCT PERIODIC AUDITS TO ENSURE COMPLIANCE WITH THIS**  
27 **SECTION.**

28 **3A-805.**

29           **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**  
30 **SUBTITLE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2021.