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Education, Health, and  
Environmental Affairs Committee

Chair, Joint Committee on  
Cybersecurity, Information Technology  
and Biotechnology



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**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

April 1st, 2021

**Testimony in Support of SB69 - Cybersecurity Coordination and Operations -  
Establishment and Reporting**

Chair Pendergrass, Vice-Chair Pena-Melnyk, and Members of the Health and Government Operations Committee:

Thank you for your consideration of Senate Bill 69. In early 2020, the Federal Government's bipartisan US Cyberspace Solarium Commission issued its 182 page report. In it, the Commission highlighted a major takeaway stating: *"We must get faster and smarter, improving the government's ability to organize concurrent, continuous, and collaborative efforts to build resilience, [and] respond to cyber threats..."*

Over the past two years I have had the honor of serving as the co-chair of the Joint Committee on Cybersecurity, IT, and Biotechnology, and as a member of the Attorney General's Cybersecurity Council. Given my experience in these roles, it is with great concern that I must say, many of the issues identified by our counterparts in the U.S. Congress, are not at all unique to the Federal government, and may in fact be more extensive at the State and local level. In 2020 we have experienced a slew of cybersecurity attacks across the US aimed at local governments and school systems, not the least of which is our very own Baltimore County Public Schools.

This committee has recently considered multiple pieces of legislation regarding cybersecurity in the State. This bill is the "coordination and operational" piece to a senate package intended to address this serious issue with the urgency and seriousness it deserves. As amended by the Senate, Senate Bill 69 codifies major portions of the Governor's Executive Order 01.01.2019.07 with certain slight alterations. The structures established in this bill that overlap with the Governor's Executive order are:

- The position of the **State Chief Information Security Officer;**

- **The Office of Security Management**, with the addition of a **Director of Local Cybersecurity Preparedness** to work in coordination with MEMA to provide technical assistance, coordinate resources, develop cybersecurity preparedness and response plans, and complete reports for the improvement of local cybersecurity preparedness;
- **The Maryland Cybersecurity Coordinating Council**, with the addition of the University System of Maryland, the Administrative Office of the Courts, and a representative from DLS.

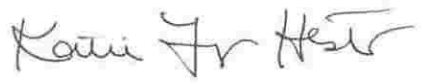
The additional members added to the Maryland Cybersecurity Coordinating Council are control agencies with oversight over their respective IT and cybersecurity systems. Their inclusion is intended to allow those bodies to inform DoIT guidance and share best practices across IT systems, thereby creating more consistency in our cybersecurity strategy across the State. Additionally, Senate Bill 69:

- Requires state agencies to complete an annual cybersecurity preparedness assessment and report that information, along with information on their IT systems to DoIT.
- Requires local agencies to create a cybersecurity preparedness and response plan in consultation with their local emergency managers, as well as an annual cybersecurity preparedness assessment and report that is slightly less detailed as compared to those required for State agencies.

Finally, during the Committee’s discussions on this legislation, it was made clear that there is no statutory requirement of cybersecurity incident notification within State and Local Government, except for that required for the State Board of Elections. Therefore, this bill requires units of State Government to report cybersecurity incidents to the State Chief Information Security Officer, and units of Local Government to report cybersecurity incidents to their local emergency managers. The criteria for which cybersecurity incidents need to be reported and the mechanisms by which they should be reported would be established by DoIT.

With bad actors becoming more sophisticated, and the prevalence of cyber threats rising at almost every level of government and industry, the risk of a cyberattack is no longer “if,” it’s “when.” This bill will make Maryland a leader in the nation, creating a first of its kind regional and cross-governmental structure capable of coordinating response and preparedness for cybersecurity threats in a variety of forms. It will also create a robust framework of oversight to sufficiently monitor our systems for vulnerabilities, and address those vulnerabilities as they are identified. With this legislation we can adequately protect our constituents, and provide for a more effective defense of the State of Maryland. **I respectfully urge a favorable report for SB69.**

Sincerely,

A handwritten signature in black ink that reads "Katie Fry Hester". The signature is written in a cursive style with a large, stylized "K" and "H".

Senator Katie Fry Hester  
Carroll and Howard Counties