

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 247 (Chair, Education, Energy, and the Environment
Committee)(By Request - Departmental - Information
Technology)

Education, Energy, and the Environment

**Information Technology - Modernize Maryland Oversight Commission -
Membership, Responsibilities, and Staffing**

This departmental bill modifies the membership and responsibilities of the Modernize Maryland Oversight Commission (MMOC) and expressly requires the Department of Information Technology (DoIT) to staff MMOC.

Fiscal Summary

State Effect: The bill's requirements can be handled using existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: DoIT has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary/Current Law: Chapters 241, 242, and 243 expanded and enhanced the State's regulatory framework for State and local government cybersecurity. In addition to, among other things, requiring additional funding for cybersecurity, establishing leadership positions in State government for cybersecurity, codifying existing cybersecurity requirements from a previous executive order, and requiring State and local governments to perform cybersecurity preparedness assessments, the Acts created MMOC.

MMOC was created as a governance committee and its direct responsibilities include decision making about information technology (IT) and cybersecurity policy and budgets. However, the bill modifies the responsibilities and membership of the committee, making it an advisory committee.

The purpose of MMOC is modified by repealing the requirement that MMOC ensure the confidentiality, integrity, and availability of information held by the State concerning State residents and to advise the Secretary and State Chief Information Security Officer (SCISO) on specified matters. Instead, the bill defines the purpose of MMOC to be advising the Secretary (1) on strategic IT and cybersecurity investments and upgrades based on industry best practices and (2) on related funding sources. Additionally, DoIT is expressly required to staff MMOC.

The responsibilities of MMOC are modified by repealing the requirement that MMOC (1) advise the Secretary on a strategic roadmap with a timeline and budget and require specified updates and investments to be made by December 1, 2025, and December 1, 2030, and (2) review and provide recommendations on DoIT's basic network security standards. Instead, the bill requires MMOC to advise the Secretary on IT and cybersecurity industry best practices. Under the bill, MMOC must continue to make periodic recommendations on investments in State IT structures based on State agency cybersecurity investments and submit an annual report, as specified.

The membership of MMOC is modified in the following ways:

- MMOC no longer includes the Secretary, SCISO, or three chief information security officers representing different units of State government;
- MMOC includes two representatives from the Maryland Chamber of Commerce, instead of one, and one member must have knowledge of IT;
- the individuals on MMOC who are end users of State IT systems may not be State employees;
- MMOC includes one individual who is either an instructor or professional in the academic field of IT at a college or university in the State;
- MMOC includes the cochairs of the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.

Background: DoIT advises that MMOC's current mission, to ensure the confidentiality, integrity, and availability of information held in State systems, overlaps considerably with the mission of the Secretary, the Chief Privacy Officer, the Chief Data Officer, and SCISO, who perform these duties on a daily basis. Moreover, DoIT believes that MMOC could better support this mission as an advisory committee, as envisioned by the bill, rather than

trying to view and evaluate each agency system in the State to figure out the best system investments and upgrades.

DoIT advises that it also plans to convene a council of IT leadership from each Executive Branch agency to advise the Secretary on long-term plans for IT and cybersecurity investments and upgrades and that this council is anticipated to meet quarterly.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Department of Information Technology; Governor's Office; Department of Legislative Services

Fiscal Note History: First Reader - January 18, 2024
km/mcr

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Information Technology - Modernize Maryland Oversight Commission -
Membership, Responsibilities, and Staffing

BILL NUMBER: SB 247

PREPARED BY: Patrick Mulford – Department of Information Technology

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS