

SENATE BILL 557

P1

1r1680
CF HB 665

By: Senators Pugh, Garagiola, Montgomery, Rosapepe, ~~and Stone~~ Stone, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Muse

Introduced and read first time: February 4, 2011
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 21, 2011

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of establishing the Commission on Maryland Cybersecurity,
4 Innovation and Excellence; specifying the membership, chairs, staff, and
5 purpose of the Commission; specifying that a member of the Commission may
6 not receive compensation but may receive certain reimbursement; requiring the
7 Commission to conduct an overview of certain laws, develop certain plans and
8 policies, make certain recommendations, and carry out other certain duties
9 regarding cybersecurity and innovation; requiring the Commission to submit
10 certain reports to the Governor and the General Assembly on or before certain
11 dates; providing for the termination of this Act; and generally relating to the
12 Commission on Maryland Cybersecurity Innovation and Excellence.

13 BY adding to

14 Article – State Government
15 Section 9–2901 to be under the new subtitle “Subtitle 29. Commission on
16 Maryland Cybersecurity Innovation and Excellence”
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2010 Supplement)

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

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 Article – State Government

2 **SUBTITLE 29. COMMISSION ON MARYLAND CYBERSECURITY INNOVATION AND**
3 **EXCELLENCE.**4 **9–2901.**5 (A) THERE IS A COMMISSION ON MARYLAND CYBERSECURITY
6 INNOVATION AND EXCELLENCE.

7 (B) (1) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

8 (I) ONE MEMBER OF THE SENATE OF MARYLAND,
9 APPOINTED BY THE PRESIDENT OF THE SENATE;10 (II) ONE MEMBER OF THE HOUSE OF DELEGATES,
11 APPOINTED BY THE SPEAKER OF THE HOUSE;12 (III) THE SECRETARY OF INFORMATION TECHNOLOGY, OR
13 THE SECRETARY'S DESIGNEE;14 (IV) THE SECRETARY OF BUSINESS AND ECONOMIC
15 DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;16 (V) THE SECRETARY OF THE DEPARTMENT OF LABOR,
17 LICENSING, AND REGULATION, OR THE SECRETARY'S DESIGNEE;18 (VI) THE EXECUTIVE DIRECTOR OF THE MARYLAND
19 TECHNOLOGY DEVELOPMENT CORPORATION, OR THE EXECUTIVE DIRECTOR'S
20 DESIGNEE;21 (VII) THE CHAIR OF THE TECH COUNCIL OF MARYLAND, OR
22 THE CHAIR'S DESIGNEE;23 (VIII) THE PRESIDENT OF THE FORT MEADE ALLIANCE, OR
24 THE PRESIDENT'S DESIGNEE; AND25 (IX) THE FOLLOWING MEMBERS APPOINTED BY THE
26 GOVERNOR:27 1. FIVE REPRESENTATIVES OF CYBERSECURITY
28 COMPANIES LOCATED IN THE STATE, WITH AT LEAST THREE REPRESENTING
29 CYBERSECURITY COMPANIES WITH 50 EMPLOYEES OR LESS;

1 2. THREE REPRESENTATIVES FROM STATEWIDE OR
2 REGIONAL BUSINESS ASSOCIATIONS; ~~AND~~

3 3. FOUR REPRESENTATIVES FROM INSTITUTIONS OF
4 HIGHER EDUCATION LOCATED IN THE STATE;

5 4. ONE REPRESENTATIVE OF A CRIME VICTIMS
6 ORGANIZATION;

7 5. THREE REPRESENTATIVES FROM INDUSTRIES
8 THAT MAY BE SUSCEPTIBLE TO ATTACKS ON CYBERSECURITY; AND

9 6. ONE REPRESENTATIVE OF AN ORGANIZATION
10 THAT HAS EXPERTISE IN ELECTRONIC HEALTH CARE RECORDS.

11 (2) THE GOVERNOR ALSO SHALL INVITE THE FOLLOWING
12 REPRESENTATIVES OF FEDERAL AGENCIES TO SERVE ON THE COMMISSION:

13 (I) THE DIRECTOR OF THE NATIONAL INSTITUTE FOR
14 STANDARDS AND TECHNOLOGY, OR THE DIRECTOR'S DESIGNEE;

15 (II) THE SECRETARY OF DEFENSE, OR THE SECRETARY'S
16 DESIGNEE;

17 (III) THE DIRECTOR OF THE NATIONAL SECURITY AGENCY,
18 OR THE DIRECTOR'S DESIGNEE;

19 (IV) THE SECRETARY OF HOMELAND SECURITY, OR THE
20 SECRETARY'S DESIGNEE;

21 (V) THE DIRECTOR OF THE DEFENSE INFORMATION
22 SYSTEMS AGENCY, OR THE DIRECTOR'S DESIGNEE; AND

23 (VI) THE DIRECTOR OF THE INTELLIGENCE ADVANCED
24 RESEARCH PROJECTS ACTIVITY, OR THE DIRECTOR'S DESIGNEE.

25 (C) THE MEMBERS APPOINTED BY THE PRESIDING OFFICERS OF THE
26 GENERAL ASSEMBLY SHALL COCHAIR THE COMMISSION.

27 (D) ~~THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT~~
28 ~~AND THE DEPARTMENT OF INFORMATION TECHNOLOGY JOINTLY~~ UNIVERSITY
29 OF MARYLAND UNIVERSITY COLLEGE SHALL PROVIDE STAFF FOR THE
30 COMMISSION.

1 **(E) A MEMBER OF THE COMMISSION:**

2 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
3 **COMMISSION; BUT**

4 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
5 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
6 **BUDGET.**

7 **(F) THE PURPOSE OF THE COMMISSION IS TO PROVIDE A ROAD MAP**
8 **FOR MAKING THE STATE THE EPICENTER OF CYBERSECURITY INNOVATION AND**
9 **EXCELLENCE.**

10 **(G) THE COMMISSION SHALL:**

11 **(1) CONDUCT A COMPREHENSIVE REVIEW OF AND IDENTIFY ANY**
12 **INCONSISTENCIES IN:**

13 **(I) STATE AND FEDERAL CYBERSECURITY LAWS; AND**

14 **(II) POLICIES, STANDARDS, AND BEST PRACTICES FOR**
15 **ENSURING THE SECURITY OF COMPUTER SYSTEMS AND NETWORKS USED BY**
16 **EDUCATIONAL INSTITUTIONS AND STATE GOVERNMENT AND OTHER**
17 **ORGANIZATIONS THAT WORK WITH HEALTH CARE RECORDS, PERSONAL**
18 **IDENTIFICATION INFORMATION, PUBLIC SAFETY, AND PUBLIC SERVICE AND**
19 **UTILITIES;**

20 **(2) CONDUCT A COMPREHENSIVE REVIEW OF THE STATE'S ROLE**
21 **IN PROMOTING CYBER INNOVATION;**

22 **(3) IDENTIFY ANY FEDERAL PREEMPTION ISSUES RELATING TO**
23 **CYBERSECURITY;**

24 **(4) PROVIDE RECOMMENDATIONS FOR:**

25 **(I) A COMPREHENSIVE STATE FRAMEWORK AND**
26 **STRATEGIC PLAN FOR CYBERSECURITY INNOVATION AND EXCELLENCE;**

27 **(II) A COMPREHENSIVE STATE STRATEGIC PLAN TO ENSURE**
28 **A COORDINATED AND ADAPTABLE RESPONSE TO AND RECOVERY ~~TO~~ FROM**
29 **ATTACKS ON CYBERSECURITY;**

30 **(III) COORDINATED AND UNIFIED POLICIES TO CLARIFY THE**
31 **ROLES AND RESPONSIBILITIES OF STATE UNITS REGARDING CYBERSECURITY;**

1 (IV) GROWTH OPPORTUNITIES AND ECONOMIC
2 DEVELOPMENT STRATEGIES AND ACTION PLANS; AND

3 (V) STRATEGIES THAT CAN BE USED TO COORDINATE STATE
4 AND FEDERAL RESOURCES TO ATTRACT PRIVATE SECTOR INVESTMENT AND JOB
5 CREATION IN CYBERSECURITY;

6 (5) MAKE RECOMMENDATIONS REGARDING:

7 (I) METHODS THE STATE CAN USE TO INCREASE
8 CYBERSECURITY INNOVATION BY:

9 1. PROMOTING PUBLIC AND PRIVATE
10 PARTNERSHIPS, RESEARCH AND DEVELOPMENT, WORKFORCE TRAINING,
11 EDUCATION AND DEVELOPMENT;

12 2. PROMOTING SCIENCE, TECHNOLOGY,
13 ENGINEERING, AND MATHEMATICS COURSES IN ALL LEVELS OF EDUCATION;

14 3. HELPING COMPANIES TRANSFER RESEARCH TO
15 PRODUCT;

16 4. PROTECTING INTELLECTUAL PROPERTIES; AND

17 5. LEVERAGING FEDERAL FUNDS FOR RESEARCH,
18 DEVELOPMENT, AND COMMERCIALIZATION;

19 (II) METHODS THAT THE STATE CAN USE TO PROMOTE
20 COLLABORATION AND COORDINATION AMONG CYBERSECURITY COMPANIES
21 AND AMONG INSTITUTIONS OF HIGHER EDUCATION LOCATED IN THE STATE;

22 (III) A UNIT OF STATE GOVERNMENT THAT IS SUITABLE TO
23 RUN A PILOT PROGRAM REGARDING CYBERSECURITY; AND

24 (IV) THE DESIGNATION OF A CYBERSECURITY POLICY
25 OFFICIAL THAT WOULD BE RESPONSIBLE FOR COORDINATING THE STATE'S
26 CYBERSECURITY POLICIES, STRATEGIES, AND ACTIVITIES.

27 (H) ON OR BEFORE JANUARY 1, 2012, THE COMMISSION SHALL SUBMIT
28 AN INTERIM REPORT OF ITS FINDINGS AND RECOMMENDATIONS, INCLUDING
29 RECOMMENDED LEGISLATION, TO THE GOVERNOR AND, IN ACCORDANCE WITH
30 § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.

1 **(I) ON OR BEFORE SEPTEMBER 1, 2014, THE COMMISSION SHALL**
2 **SUBMIT A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS,**
3 **INCLUDING RECOMMENDED LEGISLATION, TO THE GOVERNOR AND, IN**
4 **ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2011. It shall remain effective for a period of 3 years and 6 months and, at the
7 end of December 31, 2014, with no further action required by the General Assembly,
8 this Act shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.