

SENATE BILL 249

P1
SB 494/13 – FIN

4r1734
CF HB 808

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

Introduced and read first time: January 17, 2014
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 21, 2014

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of requiring the Commission on Maryland Cybersecurity Innovation
5 and Excellence to ~~study and develop certain strategies and recommendations for~~
6 ~~advancing telemedicine technologies and use~~ work, in a certain manner, to
7 develop certain strategies to enable organizations that adopt telemedicine to
8 practice certain techniques for a certain purpose; altering the membership of
9 the Commission; requiring that, to the extent practicable, certain members of
10 the Commission reasonably reflect the geographic, racial, ethnic, cultural, and
11 gender diversity of the State; and generally relating to the ~~duties of the~~
12 Commission on Maryland Cybersecurity Innovation and Excellence.

13 BY repealing and reenacting, with amendments,
14 Article – State Government
15 Section 9–2901
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2013 Supplement)

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

20 **Article – State Government**

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 9–2901.

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

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

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

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

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

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

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

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

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

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

21 **(IX) THE CHAIR OF THE MARYLAND HEALTH CARE**
22 **COMMISSION, OR THE CHAIR'S DESIGNEE; AND**

23 ~~(ix)~~ **(X)** the following members appointed by the Governor:

24 1. five representatives of cybersecurity companies
25 located in the State, with at least three representing cybersecurity companies with 50
26 employees or less;

27 2. three representatives from statewide or regional
28 business associations;

29 3. four representatives from institutions of higher
30 education located in the State;

1 4. one representative of a crime victims organization;

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

4 6. one representative of an organization that has
5 expertise in electronic health care records.

6 **(2) TO THE EXTENT PRACTICABLE, THE MEMBERS APPOINTED BY**
7 **THE GOVERNOR SHALL REASONABLY REFLECT THE GEOGRAPHIC, RACIAL,**
8 **ETHNIC, CULTURAL, AND GENDER DIVERSITY OF THE STATE.**

9 ~~(2)~~ **(3)** The Governor also shall invite the following representatives of
10 federal agencies to serve on the Commission:

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

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

14 (iii) the Director of the National Security Agency, or the
15 Director's designee;

16 (iv) the Secretary of Homeland Security, or the Secretary's
17 designee;

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

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

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

24 (d) The University of Maryland University College shall provide staff for the
25 Commission.

26 (e) A member of the Commission:

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

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

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

1 (g) The Commission shall:

2 (1) conduct a comprehensive review of and identify any inconsistencies
3 in:

4 (i) State and federal cybersecurity laws; and

5 (ii) policies, standards, and best practices for ensuring the
6 security of computer systems and networks used by educational institutions and State
7 government and other organizations that work with health care records, personal
8 identification information, public safety, and public service and utilities;

9 (2) conduct a comprehensive review of the State's role in promoting
10 cyber innovation;

11 (3) identify any federal preemption issues relating to cybersecurity;

12 (4) provide recommendations for:

13 (i) a comprehensive State framework and strategic plan for
14 cybersecurity innovation and excellence;

15 (ii) a comprehensive State strategic plan to ensure a
16 coordinated and adaptable response to and recovery from attacks on cybersecurity;

17 (iii) coordinated and unified policies to clarify the roles and
18 responsibilities of State units regarding cybersecurity;

19 (iv) growth opportunities and economic development strategies
20 and action plans; and

21 (v) strategies that can be used to coordinate State and federal
22 resources to attract private sector investment and job creation in cybersecurity;

23 (5) make recommendations regarding:

24 (i) methods the State can use to increase cybersecurity
25 innovation by:

26 1. promoting public and private partnerships, research
27 and development, and workforce training, education, and development;

28 2. promoting science, technology, engineering, and
29 mathematics courses in all levels of education;

30 3. helping companies transfer research to product;

- 1 4. protecting intellectual properties; and
- 2 5. leveraging federal funds for research, development,
3 and commercialization;
- 4 (ii) methods that the State can use to promote collaboration and
5 coordination among cybersecurity companies and among institutions of higher
6 education located in the State;
- 7 (iii) a unit of State government that is suitable to run a pilot
8 program regarding cybersecurity; and
- 9 (iv) the designation of a cybersecurity policy official that would
10 be responsible for coordinating the State's cybersecurity policies, strategies, and
11 activities; AND

12 **(6) ~~STUDY AND DEVELOP STRATEGIES AND RECOMMENDATIONS~~**
13 **~~FOR ADVANCING TELEMEDICINE 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 WORK, IN COLLABORATION WITH THE MARYLAND~~**
21 **~~HEALTH CARE COMMISSION AND OTHER STAKEHOLDERS, TO DEVELOP~~**
22 **~~STRATEGIES TO ENABLE ORGANIZATIONS THAT ADOPT TELEMEDICINE TO~~**
23 **~~PRACTICE SAFE SECURITY TECHNIQUES TO MINIMIZE SUCCESSFUL CYBER~~**
24 **~~ATTACKS.~~**

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

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

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2014.