

# SENATE BILL 368

P1

4r2114  
CF 4r1715

---

By: **Senators Pugh, Benson, Conway, Frosh, Jones–Rodwell, Manno,  
Middleton, Montgomery, and Muse**

Introduced and read first time: January 22, 2014

Assigned to: Finance

---

## A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of altering the membership of the Commission on Maryland  
5 Cybersecurity Innovation and Excellence; requiring the Commission to submit a  
6 certain report to the Governor and the General Assembly on or before a certain  
7 date each year; repealing the termination date of the Commission; making  
8 conforming changes; and generally relating to the Commission on Maryland  
9 Cybersecurity Innovation and Excellence.

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

15 BY repealing and reenacting, with amendments,  
16 Chapter 250 of the Acts of the General Assembly of 2011  
17 Section 2

18 BY repealing and reenacting, with amendments,  
19 Chapter 251 of the Acts of the General Assembly of 2011  
20 Section 2

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

23 **Article – State Government**

24 9–2901.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

4 (i) [one member] **TWO MEMBERS** of the Senate of Maryland,  
5 appointed by the President of the Senate;

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

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

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

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

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

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

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

20 (ix) the following members appointed by the Governor:

21 1. five representatives of cybersecurity companies  
22 located in the State, with at least three representing cybersecurity companies with 50  
23 employees or less;

24 2. [three] **FOUR** representatives from statewide or  
25 regional business associations;

26 3. [four] **SIX** representatives from institutions of higher  
27 education located in the State;

28 4. one representative of a crime victims organization;

29 5. [three] **FOUR** representatives from industries that  
30 may be susceptible to attacks on cybersecurity; and

1                   6.     [one representative] **TWO REPRESENTATIVES** of [an  
2 organization] **ORGANIZATIONS** that [has] **HAVE** expertise in electronic health care  
3 records.

4                   (2)     The Governor also shall invite the following representatives of  
5 federal agencies to serve on the Commission:

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

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

9                   (iii)  the Director of the National Security Agency, or the  
10 Director's designee;

11                  (iv)   the Secretary of Homeland Security, or the Secretary's  
12 designee;

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

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

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

19                  (d)     The University of Maryland University College shall provide staff for the  
20 Commission.

21                  (e)     A member of the Commission:

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

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

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

27                  (g)     The Commission shall:

28                   (1)     conduct a comprehensive review of and identify any inconsistencies  
29 in:

30                   (i)     State and federal cybersecurity laws; and

- 1 (ii) policies, standards, and best practices for ensuring the  
2 security of computer systems and networks used by educational institutions and State  
3 government and other organizations that work with health care records, personal  
4 identification information, public safety, and public service and utilities;
- 5 (2) conduct a comprehensive review of the State's role in promoting  
6 cyber innovation;
- 7 (3) identify any federal preemption issues relating to cybersecurity;
- 8 (4) provide recommendations for:
- 9 (i) a comprehensive State framework and strategic plan for  
10 cybersecurity innovation and excellence;
- 11 (ii) a comprehensive State strategic plan to ensure a  
12 coordinated and adaptable response to and recovery from attacks on cybersecurity;
- 13 (iii) coordinated and unified policies to clarify the roles and  
14 responsibilities of State units regarding cybersecurity;
- 15 (iv) growth opportunities and economic development strategies  
16 and action plans; and
- 17 (v) strategies that can be used to coordinate State and federal  
18 resources to attract private sector investment and job creation in cybersecurity;
- 19 (5) make recommendations regarding:
- 20 (i) methods the State can use to increase cybersecurity  
21 innovation by:
- 22 1. promoting public and private partnerships, research  
23 and development, and workforce training, education, and development;
- 24 2. promoting science, technology, engineering, and  
25 mathematics courses in all levels of education;
- 26 3. helping companies transfer research to product;
- 27 4. protecting intellectual properties; and
- 28 5. leveraging federal funds for research, development,  
29 and commercialization;

1 (ii) methods that the State can use to promote collaboration and  
2 coordination among cybersecurity companies and among institutions of higher  
3 education located in the State;

4 (iii) a unit of State government that is suitable to run a pilot  
5 program regarding cybersecurity; and

6 (iv) the designation of a cybersecurity policy official that would  
7 be responsible for coordinating the State's cybersecurity policies, strategies, and  
8 activities.

9 (h) On or before [January 1, 2012] **JANUARY 1 OF EACH YEAR**, the  
10 Commission shall submit [an interim] A report of its findings and recommendations,  
11 including recommended legislation, to the Governor and, in accordance with § 2-1246  
12 of this article, the General Assembly.

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

#### 16 **Chapter 250 of the Acts of 2011**

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

#### 21 **Chapter 251 of the Acts of 2011**

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2014.