

HOUSE BILL 695

P3, P1

8lr2756

By: ~~Delegate Frick~~ Delegates Frick, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Pendergrass, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

Introduced and read first time: January 31, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2018

CHAPTER _____

1 AN ACT concerning

2 **Open Meetings Act – Closed Meetings – Cybersecurity**

3 FOR the purpose of authorizing a public body to meet in a closed session to discuss
4 cybersecurity if the public body determines that public discussion would constitute
5 certain risks; and generally relating to closed meetings and cybersecurity.

6 BY repealing and reenacting, with amendments,

7 Article – General Provisions

8 Section 3–305(b)(13) and (14)

9 Annotated Code of Maryland

10 (2014 Volume and 2017 Supplement)

11 BY adding to

12 Article – General Provisions

13 Section 3–305(b)(15)

14 Annotated Code of Maryland

15 (2014 Volume and 2017 Supplement)

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

18 **Article – General Provisions**

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 3-305.

2 (b) Subject to subsection (d) of this section, a public body may meet in closed
3 session or adjourn an open session to a closed session only to:

4 (13) comply with a specific constitutional, statutory, or judicially imposed
5 requirement that prevents public disclosures about a particular proceeding or matter; [or]

6 (14) discuss, before a contract is awarded or bids are opened, a matter
7 directly related to a negotiating strategy or the contents of a bid or proposal, if public
8 discussion or disclosure would adversely impact the ability of the public body to participate
9 in the competitive bidding or proposal process; **OR**

10 **(15) DISCUSS CYBERSECURITY, IF THE PUBLIC BODY DETERMINES**
11 **THAT PUBLIC DISCUSSION WOULD CONSTITUTE A RISK TO:**

12 **(I) SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO**
13 **INFORMATION RESOURCES TECHNOLOGY;**

14 **(II) NETWORK SECURITY INFORMATION, INCLUDING**
15 **INFORMATION THAT IS:**

16 **1. RELATED TO PASSWORDS, PERSONAL**
17 **IDENTIFICATION NUMBERS, ACCESS CODES, ENCRYPTION, OR OTHER COMPONENTS**
18 **OF THE SECURITY SYSTEM OF A GOVERNMENTAL ENTITY;**

19 **2. COLLECTED, ASSEMBLED, OR MAINTAINED BY OR FOR**
20 **A GOVERNMENTAL ENTITY TO PREVENT, DETECT, OR INVESTIGATE CRIMINAL**
21 **ACTIVITY; OR**

22 **3. RELATED TO AN ASSESSMENT, MADE BY OR FOR A**
23 **GOVERNMENTAL ENTITY OR MAINTAINED BY A GOVERNMENTAL ENTITY, OF THE**
24 **VULNERABILITY OF A NETWORK TO CRIMINAL ACTIVITY; OR**

25 **(III) DEPLOYMENTS OR IMPLEMENTATION OF SECURITY**
26 **PERSONNEL, CRITICAL INFRASTRUCTURE, OR SECURITY DEVICES.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2018.