

SENATE BILL 902

C8

11r2752
CF 11r2744

By: **Senator Hester**

Introduced and read first time: February 9, 2021

Assigned to: Finance and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Cyber Workforce Program and Fund – Established**

3 FOR the purpose of establishing the Cyber Workforce Program in the Partnership for
4 Workforce Quality Program; providing for the purpose of the Cyber Program;
5 requiring the Secretary of Commerce to direct the Cyber Program; requiring the
6 Secretary to establish certain criteria and priorities for assistance under the Cyber
7 Program; requiring the Secretary to submit a certain report on the operation and
8 performance of the Cyber Program; authorizing the Cyber Program to provide
9 certain cyber workforce services at no cost; requiring the Maryland Department of
10 Labor to provide the names and contact information of certain individuals to the
11 Cyber Program; authorizing the Cyber Program to use certain information provided
12 by the Department to conduct outreach about certain cyber opportunities;
13 establishing the Cyber Workforce Fund as a special, nonlapsing fund; requiring the
14 Secretary to manage and supervise the Cyber Fund; requiring the State Treasurer
15 to hold the Cyber Fund and the Comptroller to account for the Cyber Fund;
16 specifying the contents of the Cyber Fund; specifying the purpose for which the Cyber
17 Fund may be used; providing for the investment of money in and expenditures from
18 the Cyber Fund; requiring interest earnings of the Cyber Fund to be credited to the
19 Cyber Fund; declaring the intent of the General Assembly; providing for the transfer
20 of certain funds administered by the Maryland Higher Education Commission under
21 certain circumstances; exempting the Cyber Fund from a certain provision of law
22 requiring interest earnings on State money to accrue to the General Fund of the
23 State; defining certain terms; and generally relating to the Cyber Workforce Program
24 and the Cyber Workforce Fund.

25 BY repealing and reenacting, with amendments,
26 Article – Economic Development
27 Section 3–401
28 Annotated Code of Maryland
29 (2018 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Economic Development
3 Section 3–413 through 3–418
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2020 Supplement)

6 BY repealing and reenacting, without amendments,
7 Article – Education
8 Section 10–101(a) and (c)
9 Annotated Code of Maryland
10 (2018 Replacement Volume and 2020 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 11–105(l)
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2020 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – State Finance and Procurement
18 Section 6–226(a)(2)(i)
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2020 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – State Finance and Procurement
23 Section 6–226(a)(2)(ii)122. and 123.
24 Annotated Code of Maryland
25 (2015 Replacement Volume and 2020 Supplement)

26 BY adding to
27 Article – State Finance and Procurement
28 Section 6–226(a)(2)(ii)124.
29 Annotated Code of Maryland
30 (2015 Replacement Volume and 2020 Supplement)

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

33 **Article – Economic Development**

34 3–401.

35 (a) In this subtitle the following words have the meanings indicated.

36 (b) “Board” means the Partnership for Workforce Quality Advisory Board.

1 (C) "CYBER" MEANS RELATING TO OR INVOLVING COMPUTERS OR
2 COMPUTER NETWORKS, INCLUDING THE INTERNET.

3 (D) "CYBER FUND" MEANS THE CYBER WORKFORCE FUND.

4 (E) "CYBER PROGRAM" MEANS THE CYBER WORKFORCE PROGRAM.

5 [(c)] (F) "Fund" means the Partnership for Workforce Quality Fund.

6 [(d)] (G) "Program" means the Partnership for Workforce Quality Program.

7 **3-413.**

8 **THERE IS A CYBER WORKFORCE PROGRAM IN THE PARTNERSHIP FOR**
9 **WORKFORCE QUALITY PROGRAM.**

10 **3-414.**

11 **THE PURPOSE OF THE CYBER PROGRAM IS TO:**

12 (1) **SUPPORT CYBER CAREERS IN NEW OR EXISTING WORKFORCE**
13 **PROGRAMS;**

14 (2) **PROVIDE EDUCATIONAL AND OTHER TRAINING SCHOLARSHIPS**
15 **RELATED TO CYBER FIELDS;**

16 (3) **IN CONSULTATION WITH THE CYBERSECURITY ASSOCIATION OF**
17 **MARYLAND, INC., PROVIDE PLANNING, STRATEGIES, AND OTHER RESOURCES TO**
18 **ASSIST THE CYBER INDUSTRY WITH ANALYZING AND IDENTIFYING WORKFORCE**
19 **NEEDS; AND**

20 (4) **PROVIDE FUNDING FOR:**

21 (I) **THE DEVELOPMENT OF NEW CYBER WORKFORCE**
22 **PROGRAMS;**

23 (II) **EXISTING WORKFORCE PROGRAMS RELATED TO CYBER**
24 **FIELDS;**

25 (III) **PROGRAMS TO IDENTIFY AND SCREEN INDIVIDUALS WITH**
26 **POTENTIAL FOR ADVANCEMENT IN CYBER CAREERS; OR**

27 (IV) **APPRENTICESHIPS AND INTERNSHIPS TO THE FOLLOWING**
28 **ENTITIES BASED IN THE STATE, WITH PREFERENCE GIVEN TO ENTITIES THAT HAVE**

1 **50 OR FEWER EMPLOYEES:**

- 2 1. **CYBERSECURITY FIRMS;**
3 2. **NONPROFIT ENTITIES; OR**
4 3. **UNITS OR INSTRUMENTALITIES OF A COUNTY.**

5 **3-415.**

6 **(A) THE SECRETARY OR THE SECRETARY'S DESIGNEE SHALL DIRECT THE**
7 **CYBER PROGRAM.**

8 **(B) THE SECRETARY SHALL ESTABLISH ELIGIBILITY CRITERIA AND**
9 **PRIORITIES FOR ASSISTANCE UNDER THE CYBER PROGRAM.**

10 **(C) (1) IN ACCORDANCE WITH § 2.5-109 OF THIS ARTICLE, THE**
11 **DEPARTMENT SHALL SUBMIT A REPORT ON THE OPERATION AND PERFORMANCE OF**
12 **THE CYBER PROGRAM.**

13 **(2) IN ADDITION TO THE REQUIREMENTS UNDER § 2.5-109(C) OF THIS**
14 **ARTICLE, THE DEPARTMENT SHALL SUBMIT THE REPORT REQUIRED UNDER THIS**
15 **SUBSECTION TO:**

- 16 **(I) THE GOVERNOR'S WORKFORCE DEVELOPMENT BOARD;**
17 **(II) THE ATTORNEY GENERAL;**
18 **(III) THE MARYLAND CYBERSECURITY COUNCIL; AND**
19 **(IV) THE MARYLAND ECONOMIC DEVELOPMENT COMMISSION.**

20 **3-416.**

21 **THE CYBER PROGRAM MAY PROVIDE CYBER WORKFORCE SERVICES AT NO**
22 **COST THAT:**

23 **(1) DETERMINE WHETHER AN EMPLOYER'S SPECIFIC NEEDS ARE**
24 **BEST MET BY TRAINING, OTHER TYPES OF ASSISTANCE, OR A COMBINATION OF**
25 **SERVICES;**

26 **(2) IDENTIFY THE AVAILABILITY OF EXISTING TRAINING PROGRAMS**
27 **THAT MAY BE ADAPTED TO MEET AN EMPLOYER'S NEEDS;**

1 **(3) IDENTIFY THE RESOURCES AN EMPLOYER MAY PROVIDE TO**
2 **SUPPORT THE TRAINING, INCLUDING:**

3 **(I) EQUIPMENT;**

4 **(II) FACILITIES; AND**

5 **(III) MATERIALS;**

6 **(4) IDENTIFY OR DEVELOP APPROPRIATE PROGRAMS; AND**

7 **(5) DETERMINE THE MOST COST-EFFECTIVE APPROACH TO MEETING**
8 **TRAINING NEEDS.**

9 **3-417.**

10 **(A) THE MARYLAND DEPARTMENT OF LABOR SHALL PROVIDE THE NAMES**
11 **AND CONTACT INFORMATION OF INDIVIDUALS CURRENTLY RECEIVING**
12 **UNEMPLOYMENT BENEFITS TO THE CYBER PROGRAM AS THE INFORMATION**
13 **BECOMES AVAILABLE.**

14 **(B) THE CYBER PROGRAM MAY USE THE INFORMATION PROVIDED UNDER**
15 **SUBSECTION (A) OF THIS SECTION TO CONDUCT OUTREACH REGARDING**
16 **EMPLOYMENT, TRAINING, AND CAREER OPPORTUNITIES IN CYBER FIELDS.**

17 **3-418.**

18 **(A) THERE IS A CYBER WORKFORCE FUND IN THE DEPARTMENT.**

19 **(B) THE SECRETARY SHALL MANAGE AND SUPERVISE THE CYBER FUND.**

20 **(C) (1) THE CYBER FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
21 **SUBJECT TO REVERSION UNDER § 7-302 OF THE STATE FINANCE AND**
22 **PROCUREMENT ARTICLE.**

23 **(2) THE STATE TREASURER SHALL HOLD THE CYBER FUND**
24 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE CYBER FUND.**

25 **(D) THE CYBER FUND CONSISTS OF:**

26 **(1) MONEY APPROPRIATED BY THE STATE TO THE CYBER FUND;**

1 (a) In this division the following words have the meanings indicated.

2 (c) "Commission" means the Maryland Higher Education Commission.

3 11-105.

4 (l) (1) Subject to the provisions of Title 18 of this article, the Commission shall
5 administer the various scholarship, grant-in-aid, and tuition assistance programs
6 established by law.

7 (2) **EXCEPT AS OTHERWISE PROVIDED IN THIS DIVISION, AT THE END**
8 **OF EACH FISCAL YEAR, ANY UNSPENT OR UNENCUMBERED BALANCE THAT IS**
9 **AVAILABLE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE TRANSFERRED**
10 **TO THE CYBER WORKFORCE FUND ESTABLISHED UNDER § 3-418 OF THE**
11 **ECONOMIC DEVELOPMENT ARTICLE.**

12 **Article – State Finance and Procurement**

13 6-226.

14 (a) (2) (i) Notwithstanding any other provision of law, and unless
15 inconsistent with a federal law, grant agreement, or other federal requirement or with the
16 terms of a gift or settlement agreement, net interest on all State money allocated by the
17 State Treasurer under this section to special funds or accounts, and otherwise entitled to
18 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
19 Fund of the State.

20 (ii) The provisions of subparagraph (i) of this paragraph do not apply
21 to the followings funds:

22 122. the Racing and Community Development Financing Fund;

23 [and]

24 123. the Racing and Community Development Facilities Fund;

25 **AND**

26 **124. THE CYBER WORKFORCE FUND.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2021.