

**HB1202/423121/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1202  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 18, strike “on or before a certain date each year” and substitute “in a certain manner”; and strike beginning with “requiring” in line 19 down through “year;” in line 20.

On page 2, in line 1, after “year;” insert “establishing the Information Sharing and Analysis Center in the Department of Information Technology; establishing certain responsibilities for the Center;”; and in line 7, after “study;” insert “authorizing funds to be transferred by budget amendment from the Dedicated Purpose Account in a certain fiscal year to implement the Act;”.

On page 3, in line 20, after “and” insert “3.5–315,”; and in the same line, after “3.5–405” insert “, and 4–308”.

AMENDMENT NO. 2

On page 8, strike beginning with “**THROUGH**” in line 10 down through “**AGENCY**” in line 13; strike in their entirety lines 21 through 24, inclusive; in lines 25 and 30, strike “**(IV)**” and “**(V)**”, respectively, and substitute “**(III)**” and “**(IV)**”, respectively; in line 27, strike the second “**AND**”; and in line 29, after the semicolon insert “**AND**”.

**3. IDENTIFYING AND ACQUIRING RESOURCES TO COMPLETE APPROPRIATE CYBERSECURITY VULNERABILITY ASSESSMENTS;**”.

On page 9, strike in their entirety lines 1 and 2; in lines 3 and 6, strike “**(VII)**” and “**(VIII)**”, respectively, and substitute “**(V)**” and “**(VI)**”, respectively; after line 8, insert:

“(3) THE UNIT SHALL SUPPORT THE OFFICE OF SECURITY MANAGEMENT IN THE DEPARTMENT OF INFORMATION TECHNOLOGY DURING EMERGENCY RESPONSE EFFORTS.”;

strike beginning with the first comma in line 11 down through “DEPARTMENT” in line 14 and substitute “AND THE STATE SECURITY OPERATIONS CENTER IN THE DEPARTMENT OF INFORMATION TECHNOLOGY”; in line 22, strike “MARYLAND JOINT OPERATIONS CENTER” and substitute “STATE SECURITY OPERATIONS CENTER”; and after line 25, insert:

“(D) (1) FIVE POSITION IDENTIFICATION NUMBERS (PINS) SHALL BE CREATED FOR THE PURPOSE OF HIRING STAFF TO CONDUCT THE DUTIES OF THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT CYBERSECURITY PREPAREDNESS UNIT.

(2) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST:

(I) \$220,335 FOR 3 PINS FOR ADMINISTRATOR III POSITIONS; AND

(II) \$137,643 FOR 2 PINS FOR ADMINISTRATOR II POSITIONS.”.

On page 13, strike beginning with “AND” in line 19 down through “CONTENT” in line 20.

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On page 14, strike in their entirety lines 8 and 9; strike in their entirety lines 15 through 19, inclusive, and substitute "AND"; and in line 20, strike "(III)" and substitute "(II)".

On page 15, strike in their entirety lines 12 through 15, inclusive, and substitute "ANY INFORMATION SYSTEMS, DETERMINE AND DIRECT OR TAKE ACTIONS NECESSARY TO CORRECT OR REMEDIATE THE VULNERABILITIES OR DEFICIENCIES, WHICH MAY INCLUDE REQUIRING THE INFORMATION SYSTEM TO BE DISCONNECTED;

(7) IF THE STATE CHIEF INFORMATION SECURITY OFFICER DETERMINES THAT THERE IS A CYBERSECURITY THREAT CAUSED BY AN ENTITY CONNECTED TO THE NETWORK ESTABLISHED UNDER § 3.5-404 OF THIS TITLE THAT INTRODUCES A SERIOUS RISK TO ENTITIES CONNECTED TO THE NETWORK OR TO THE STATE, TAKE OR DIRECT ACTIONS REQUIRED TO MITIGATE THE THREAT;";

and in lines 16, 18, 21, 24, and 28, strike "(7)", "(8)", "(9)", "(10)", and "(11)", respectively, and substitute "(8)", "(9)", "(10)", "(11)", and "(12)", respectively.

On page 15, strike in their entirety lines 32 and 33, inclusive.

On page 16, in line 13, after the semicolon insert "AND"; strike beginning with the semicolon in line 16 down through "PREPAREDNESS" in line 18; and in line 27, after "(E)" insert "(1)".

On page 17, in lines 3, 5, 8, 10, 13, 16, 21, 23, and 26, strike "(1)", "(2)", "(I)", "(II)", "(III)", "(IV)", "(V)", "(VI)", and "(VII)", respectively, and substitute "(I)", "(II)", "1.", "2.", "3.", "4.", "5.", "6.", and "7.", respectively; and after line 27, insert:

(Over)

**“(2) A REPORT SUBMITTED UNDER THIS SUBSECTION MAY NOT CONTAIN INFORMATION THAT REVEALS CYBERSECURITY VULNERABILITIES AND RISKS IN THE STATE.”**

On page 18, in line 18, after “projects” insert **“OR CYBERSECURITY PROJECTS”**.

On page 19, after line 10, insert:

**“3.5-315.**

**(A) THERE IS AN INFORMATION SHARING AND ANALYSIS CENTER IN THE DEPARTMENT.**

**(B) THE INFORMATION SHARING AND ANALYSIS CENTER SHALL:**

**(1) COORDINATE INFORMATION ON CYBERSECURITY BY SERVING AS A CENTRAL LOCATION FOR INFORMATION SHARING ACROSS STATE AND LOCAL GOVERNMENT, FEDERAL GOVERNMENT PARTNERS, AND PRIVATE ENTITIES;**

**(2) WITH THE OFFICE OF SECURITY MANAGEMENT, SUPPORT CYBERSECURITY COORDINATION BETWEEN LOCAL UNITS OF GOVERNMENT THROUGH EXISTING LOCAL GOVERNMENT STAKEHOLDER ORGANIZATIONS;**

**(3) PROVIDE SUPPORT TO THE STATE CHIEF INFORMATION SECURITY OFFICER AND THE CYBER PREPAREDNESS UNIT, IN THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT, DURING CYBERSECURITY INCIDENTS THAT AFFECT STATE AND LOCAL GOVERNMENTS;**

**(4) SUPPORT RISK-BASED PLANNING FOR THE USE OF FEDERAL RESOURCES; AND**

**(5) CONDUCT ANALYSES OF CYBERSECURITY INCIDENTS.”.**

On page 20, in lines 6 and 14, in each instance, strike “ON OR BEFORE DECEMBER 1 EACH YEAR” and substitute “IN A MANNER AND FREQUENCY ESTABLISHED IN REGULATIONS ADOPTED BY THE DEPARTMENT”; strike beginning with the colon in line 15 down through “(1)” in line 16; strike beginning with the second “AND” in line 17 down through “APPROVAL” in line 18; in line 18, strike the semicolon and substitute a period; and strike in their entirety lines 19 through 30, inclusive.

On pages 20 and 21, strike beginning with line 31 on page 20 through line 2 on page 21, inclusive, and substitute:

**“4-308.**

**(A) THE DEPARTMENT MAY ESTABLISH A PROGRAM THAT LEVERAGES STATE PURCHASING POWER TO OFFER FAVORABLE RATES TO UNITS OF LOCAL GOVERNMENT TO PROCURE INFORMATION TECHNOLOGY OR CYBERSECURITY SERVICES FROM CONTRACTORS.**

**(B) A UNIT OF LOCAL GOVERNMENT MAY NOT BE REQUIRED TO PARTICIPATE IN A PROGRAM ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.”.**

On page 22, strike in their entirety lines 27 and 28 and substitute:

**“SECTION 5. AND BE IT FURTHER ENACTED, That:**

(Over)

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(a) (1) On or before June 30, 2023, each unit of local government shall certify to the Office of Security Management compliance with State minimum cybersecurity standards established by the Department of Information Technology.

(2) Certification shall be reviewed by independent auditors, and any findings must be remediated.

(b) If a unit of local government has not remediated any findings pertaining to State cybersecurity standards found by the independent audit required under subsection (1) of this section by July 1, 2024, the Office of Security Management shall assume responsibility for a unit's cybersecurity through a shared service agreement, administrative privileges, or access to Network Maryland notwithstanding any federal law or regulation that forbids the Office of Security Management from managing a specific system.

SECTION 6. AND BE IT FURTHER ENACTED, That for fiscal year 2023, funds from the Dedicated Purpose Account may be transferred by budget amendment in accordance with § 7-310 of the State Finance and Procurement Article to implement this Act.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) On or before June 1, 2022, the State Chief Information Security Officer shall establish guidelines to determine when a cybersecurity incident shall be disclosed to the public.

(b) On or before November 1, 2022, the State Chief Information Security Officer shall submit a report on the guidelines established under subsection (a) to the Governor and, in accordance with § 2-1257 of the State Government Article, the House Health and Government Operations Committee and the Senate Education, Health, and Environmental Affairs Committee.

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SECTION 8. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”