

# SENATE BILL 390

P1  
SB 348/21 – EHE

2lr0028  
CF HB 419

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By: **The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Eckardt, Edwards, Elfreth, Ferguson, Griffith, Hershey, Hester, Hough, Jennings, Salling, Simonaire, and West**

Introduced and read first time: January 24, 2022

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Information Technology – Cybersecurity**

3 FOR the purpose of codifying the establishment of the Office of Security Management  
4 within the Department of Information Technology, the position of State Chief  
5 Information Security Officer, and the Maryland Cybersecurity Coordinating Council;  
6 altering the membership of the Council; requiring each unit of the Legislative  
7 Branch or Judicial Branch of State government that uses a certain network to certify  
8 certain compliance to the Department on or before a certain date each year; requiring  
9 each agency and unit of the Executive Branch of State government to submit a  
10 certain report to the Governor on or before a certain date; and generally relating to  
11 information technology.

12 BY renumbering

13 Article – State Finance and Procurement

14 Section 3A–101 through 3A–702, respectively, and the title “Title 3A. Department of  
15 Information Technology”

16 to be Section 3.5–101 through 3.5–702, respectively, and the title “Title 3.5.  
17 Department of Information Technology”

18 Annotated Code of Maryland  
19 (2021 Replacement Volume)

20 BY repealing and reenacting, with amendments,

21 Article – Criminal Procedure

22 Section 10–221(b)

23 Annotated Code of Maryland

24 (2018 Replacement Volume and 2021 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Health – General

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Section 21–2C–03(h)(2)(i)  
2 Annotated Code of Maryland  
3 (2019 Replacement Volume and 2021 Supplement)
- 4 BY repealing and reenacting, with amendments,  
5 Article – Human Services  
6 Section 7–806(a), (b)(1), (c)(1), (d)(1) and (2)(i), and (g)(1)  
7 Annotated Code of Maryland  
8 (2019 Replacement Volume and 2021 Supplement)
- 9 BY repealing and reenacting, with amendments,  
10 Article – Insurance  
11 Section 31–103(a)(2)(i) and (b)(2)  
12 Annotated Code of Maryland  
13 (2017 Replacement Volume and 2021 Supplement)
- 14 BY repealing and reenacting, with amendments,  
15 Article – Natural Resources  
16 Section 1–403(c)  
17 Annotated Code of Maryland  
18 (2018 Replacement Volume and 2021 Supplement)
- 19 BY repealing and reenacting, without amendments,  
20 Article – State Finance and Procurement  
21 Section 3.5–101(a) and (e)  
22 Annotated Code of Maryland  
23 (2021 Replacement Volume)  
24 (As enacted by Section 1 of this Act)
- 25 BY adding to  
26 Article – State Finance and Procurement  
27 Section 3.5–2A–01 through 3.5–2A–05 to be under the new subtitle “Subtitle 2A.  
28 Office of Security Management”  
29 Annotated Code of Maryland  
30 (2021 Replacement Volume)
- 31 BY repealing and reenacting, with amendments,  
32 Article – State Finance and Procurement  
33 Section 3.5–301, 3.5–302(c), 3.5–303(c)(2)(ii)2., 3.5–307(a)(2), 3.5–309(c)(2), (i)(3),  
34 and (l)(1)(i), 3.5–311(a)(2)(i), and 3.5–404  
35 Annotated Code of Maryland  
36 (2021 Replacement Volume)  
37 (As enacted by Section 1 of this Act)
- 38 BY repealing and reenacting, with amendments,  
39 Article – State Finance and Procurement  
40 Section 12–107(b)(2)(i)10. and 11.

1 Annotated Code of Maryland  
2 (2021 Replacement Volume)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
4 That Section(s) 3A–101 through 3A–702, respectively, and the title “Title 3A. Department  
5 of Information Technology” of Article – State Finance and Procurement of the Annotated  
6 Code of Maryland be renumbered to be Section(s) 3.5–101 through 3.5–702, respectively,  
7 and the title “Title 3.5. Department of Information Technology”.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
9 as follows:

10 **Article – Criminal Procedure**

11 10–221.

12 (b) Subject to Title [3A] 3.5, Subtitle 3 of the State Finance and Procurement  
13 Article, the regulations adopted by the Secretary under subsection (a)(1) of this section and  
14 the rules adopted by the Court of Appeals under subsection (a)(2) of this section shall:

15 (1) regulate the collection, reporting, and dissemination of criminal history  
16 record information by a court and criminal justice units;

17 (2) ensure the security of the criminal justice information system and  
18 criminal history record information reported to and collected from it;

19 (3) regulate the dissemination of criminal history record information in  
20 accordance with Subtitle 1 of this title and this subtitle;

21 (4) regulate the procedures for inspecting and challenging criminal history  
22 record information;

23 (5) regulate the auditing of criminal justice units to ensure that criminal  
24 history record information is:

25 (i) accurate and complete; and

26 (ii) collected, reported, and disseminated in accordance with Subtitle  
27 1 of this title and this subtitle;

28 (6) regulate the development and content of agreements between the  
29 Central Repository and criminal justice units and noncriminal justice units; and

30 (7) regulate the development of a fee schedule and provide for the collection  
31 of the fees for obtaining criminal history record information for other than criminal justice  
32 purposes.

1 **Article – Health – General**

2 21–2C–03.

3 (h) (2) The Board is subject to the following provisions of the State Finance  
4 and Procurement Article:

5 (i) Title [3A] **3.5**, Subtitle 3 (Information Processing AND  
6 SECURITY), to the extent that the Secretary of Information Technology determines that  
7 an information technology project of the Board is a major information technology  
8 development project;

9 **Article – Human Services**

10 7–806.

11 (a) (1) Subject to paragraph (2) of this subsection, the programs under §  
12 7–804(a) of this subtitle, § 7–902(a) of this title, and [§ 3A–702] § **3.5–702** of the State  
13 Finance and Procurement Article shall be funded as provided in the State budget.

14 (2) For fiscal year 2019 and each fiscal year thereafter, the program under  
15 [§ 3A–702] § **3.5–702** of the State Finance and Procurement Article shall be funded at an  
16 amount that:

17 (i) is equal to the cost that the Department of Aging is expected to  
18 incur for the upcoming fiscal year to provide the service and administer the program; and

19 (ii) does not exceed 5 cents per month for each account out of the  
20 surcharge amount authorized under subsection (c) of this section.

21 (b) (1) There is a Universal Service Trust Fund created for the purpose of  
22 paying the costs of maintaining and operating the programs under:

23 (i) § 7–804(a) of this subtitle, subject to the limitations and controls  
24 provided in this subtitle;

25 (ii) § 7–902(a) of this title, subject to the limitations and controls  
26 provided in Subtitle 9 of this title; and

27 (iii) [§ 3A–702] § **3.5–702** of the State Finance and Procurement  
28 Article, subject to the limitations and controls provided in Title [3A] **3.5**, Subtitle 7 of the  
29 State Finance and Procurement Article.

30 (c) (1) The costs of the programs under § 7–804(a) of this subtitle, § 7–902(a)  
31 of this title, and [§ 3A–702] § **3.5–702** of the State Finance and Procurement Article shall  
32 be funded by revenues generated by:

1 (i) a surcharge to be paid by the subscribers to a communications  
2 service; and

3 (ii) other funds as provided in the State budget.

4 (d) (1) The Secretary shall annually certify to the Public Service Commission  
5 the costs of the programs under § 7–804(a) of this subtitle, § 7–902(a) of this title, and [§  
6 3A–702] § 3.5–702 of the State Finance and Procurement Article to be paid by the  
7 Universal Service Trust Fund for the following fiscal year.

8 (2) (i) The Public Service Commission shall determine the surcharge  
9 for the following fiscal year necessary to fund the programs under § 7–804(a) of this subtitle,  
10 § 7–902(a) of this title, and [§ 3A–702] § 3.5–702 of the State Finance and Procurement  
11 Article.

12 (g) (1) The Legislative Auditor may conduct postaudits of a fiscal and  
13 compliance nature of the Universal Service Trust Fund and the expenditures made for  
14 purposes of § 7–804(a) of this subtitle, § 7–902(a) of this title, and [§ 3A–702] § 3.5–702 of  
15 the State Finance and Procurement Article.

## 16 Article – Insurance

17 31–103.

18 (a) The Exchange is subject to:

19 (2) the following provisions of the State Finance and Procurement Article:

20 (i) Title [3A] 3.5, Subtitle 3 (Information Processing AND  
21 SECURITY), to the extent that the Secretary of Information Technology determines that  
22 an information technology project of the Exchange is a major information technology  
23 development project;

24 (b) The Exchange is not subject to:

25 (2) Title [3A] 3.5, Subtitle 3 (Information Processing AND SECURITY) of  
26 the State Finance and Procurement Article, except to the extent determined by the  
27 Secretary of Information Technology under subsection (a)(2)(i) of this section;

## 28 Article – Natural Resources

29 1–403.

30 (c) The Department shall develop the electronic system consistent with the  
31 statewide information technology master plan developed under Title [3A] 3.5, Subtitle 3 of

1 the State Finance and Procurement Article.

2 **Article – State Finance and Procurement**

3 3.5–101.

4 (a) In this title the following words have the meanings indicated.

5 (e) “Unit of State government” means an agency or unit of the Executive Branch  
6 of State government.

7 **SUBTITLE 2A. OFFICE OF SECURITY MANAGEMENT.**

8 **3.5–2A–01.**

9 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
10 INDICATED.

11 (B) “COUNCIL” MEANS THE MARYLAND CYBERSECURITY COORDINATING  
12 COUNCIL.

13 (C) “INFORMATION SYSTEM” HAS THE MEANING STATED IN § 3.5–301 OF  
14 THIS TITLE.

15 (D) “OFFICE” MEANS THE OFFICE OF SECURITY MANAGEMENT.

16 **3.5–2A–02.**

17 **THERE IS AN OFFICE OF SECURITY MANAGEMENT WITHIN THE DEPARTMENT.**

18 **3.5–2A–03.**

19 (A) THE HEAD OF THE OFFICE IS THE STATE CHIEF INFORMATION  
20 SECURITY OFFICER.

21 (B) THE STATE CHIEF INFORMATION SECURITY OFFICER SHALL:

22 (1) BE APPOINTED BY AND SERVE AT THE PLEASURE OF THE  
23 GOVERNOR; AND

24 (2) BE SUPERVISED BY THE SECRETARY.

25 (C) THE STATE CHIEF INFORMATION SECURITY OFFICER SHALL PROVIDE  
26 CYBERSECURITY ADVICE AND RECOMMENDATIONS TO THE GOVERNOR ON

1 REQUEST.

2 3.5-2A-04.

3 (A) THE OFFICE IS RESPONSIBLE FOR THE CREATION, DIRECTION,  
4 COORDINATION, AND IMPLEMENTATION OF THE OVERALL CYBERSECURITY  
5 STRATEGY AND POLICY FOR UNITS OF STATE GOVERNMENT.

6 (B) THE OFFICE SHALL:

7 (1) ESTABLISH STANDARDS TO CATEGORIZE ALL INFORMATION  
8 SYSTEMS MAINTAINED BY OR ON BEHALF OF EACH UNIT OF STATE GOVERNMENT;

9 (2) DEVELOP GUIDELINES GOVERNING THE TYPES OF INFORMATION  
10 AND INFORMATION SYSTEMS TO BE INCLUDED IN EACH CATEGORY;

11 (3) ESTABLISH SECURITY REQUIREMENTS FOR INFORMATION AND  
12 INFORMATION SYSTEMS IN EACH CATEGORY;

13 (4) ASSESS THE CATEGORIZATION OF INFORMATION AND  
14 INFORMATION SYSTEMS AND THE ASSOCIATED IMPLEMENTATION OF THE SECURITY  
15 REQUIREMENTS ESTABLISHED UNDER ITEM (3) OF THIS SUBSECTION;

16 (5) IF THE STATE CHIEF INFORMATION SECURITY OFFICER  
17 DETERMINES THAT THERE ARE SECURITY VULNERABILITIES OR DEFICIENCIES IN  
18 INFORMATION SYSTEMS, DETERMINE AND DIRECT OR TAKE THE ACTIONS  
19 NECESSARY TO CORRECT AND REMEDIATE THE VULNERABILITIES OR DEFICIENCIES  
20 AND MAY REQUIRE THE APPLICABLE INFORMATION SYSTEM TO BE DISCONNECTED;

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

26 (7) MANAGE SECURITY AWARENESS TRAINING FOR ALL  
27 APPROPRIATE EMPLOYEES OF UNITS OF STATE GOVERNMENT;

28 (8) ASSIST IN THE DEVELOPMENT OF DATA MANAGEMENT, DATA  
29 GOVERNANCE, AND DATA SPECIFICATION STANDARDS TO PROMOTE  
30 STANDARDIZATION AND REDUCE RISK; AND

31 (9) ASSIST IN THE DEVELOPMENT OF A DIGITAL IDENTITY STANDARD

1 AND SPECIFICATION APPLICABLE TO ALL PARTIES COMMUNICATING, INTERACTING,  
2 OR CONDUCTING BUSINESS WITH OR ON BEHALF OF A UNIT OF STATE GOVERNMENT.

3 **3.5-2A-05.**

4 (A) THERE IS A MARYLAND CYBERSECURITY COORDINATING COUNCIL.

5 (B) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

6 (1) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE  
7 SECRETARY'S DESIGNEE;

8 (2) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S  
9 DESIGNEE;

10 (3) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

11 (4) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S  
12 DESIGNEE;

13 (5) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL  
14 SERVICES, OR THE SECRETARY'S DESIGNEE;

15 (6) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S  
16 DESIGNEE;

17 (7) THE STATE CHIEF INFORMATION SECURITY OFFICER;

18 (8) THE ADJUTANT GENERAL OF THE MARYLAND NATIONAL GUARD,  
19 OR THE ADJUTANT GENERAL'S DESIGNEE;

20 (9) THE SECRETARY OF EMERGENCY MANAGEMENT, OR THE  
21 SECRETARY'S DESIGNEE;

22 (10) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S  
23 DESIGNEE;

24 (11) THE SUPERINTENDENT OF STATE POLICE, OR THE  
25 SUPERINTENDENT'S DESIGNEE;

26 (12) THE DIRECTOR OF THE GOVERNOR'S OFFICE OF HOMELAND  
27 SECURITY, OR THE DIRECTOR'S DESIGNEE; AND



1           **(13) ANY OTHER MEMBER THE CHAIR OF THE COUNCIL ADDS TO THE**  
2 **COUNCIL AT THE CHAIR’S DISCRETION.**

3           **(C) THE CHAIR OF THE COUNCIL IS THE STATE CHIEF INFORMATION**  
4 **SECURITY OFFICER.**

5           **(D) THE COUNCIL SHALL MEET AT LEAST QUARTERLY AT THE REQUEST OF**  
6 **THE CHAIR.**

7           **(E) THE COUNCIL SHALL PROVIDE ADVICE AND RECOMMENDATIONS TO**  
8 **THE STATE CHIEF INFORMATION SECURITY OFFICER REGARDING:**

9           **(1) THE STRATEGY AND IMPLEMENTATION OF CYBERSECURITY**  
10 **INITIATIVES AND RECOMMENDATIONS; AND**

11           **(2) BUILDING AND SUSTAINING THE CAPABILITY OF THE STATE TO**  
12 **IDENTIFY AND MITIGATE CYBERSECURITY RISK AND RESPOND TO AND RECOVER**  
13 **FROM CYBERSECURITY-RELATED INCIDENTS.**

14           **(F) IN CARRYING OUT THE DUTIES OF THE COUNCIL, THE COUNCIL MAY**  
15 **CONSULT WITH OUTSIDE EXPERTS, INCLUDING EXPERTS IN THE PRIVATE SECTOR,**  
16 **GOVERNMENT AGENCIES, AND INSTITUTIONS OF HIGHER EDUCATION.**

17 3.5-301.

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

19           (b) “Cybersecurity” means [processes or capabilities wherein systems,  
20 communications, and information are protected and defended against damage,  
21 unauthorized use or modification, and exploitation] **PREVENTION OF DAMAGE TO,**  
22 **PROTECTION OF, AND RESTORATION OF COMPUTERS, ELECTRONIC**  
23 **COMMUNICATIONS SYSTEMS, ELECTRONIC COMMUNICATIONS SERVICES, WIRE**  
24 **COMMUNICATION, AND ELECTRONIC COMMUNICATION, INCLUDING INFORMATION**  
25 **CONTAINED IN A COMPUTER, AN ELECTRONIC COMMUNICATIONS SYSTEM, AN**  
26 **ELECTRONIC COMMUNICATIONS SERVICE, A WIRE COMMUNICATION, OR AN**  
27 **ELECTRONIC COMMUNICATION, TO ENSURE THE INFORMATION’S AVAILABILITY,**  
28 **INTEGRITY, AUTHENTICATION, CONFIDENTIALITY, AND NONREPUDIATION.**

29           (c) “Cybersecurity strategy” means a vision, a plan of action, or guiding  
30 principles.

31           (d) (1) “Development” means all expenditures for a new information  
32 technology system or an enhancement to an existing system including system:

- 1 (i) planning;
- 2 (ii) procurement;
- 3 (iii) creation;
- 4 (iv) installation;
- 5 (v) testing; and
- 6 (vi) initial training.

7 (2) "Development" does not include:

- 8 (i) ongoing operating costs, software or hardware maintenance,  
9 routine upgrades, or modifications that merely allow for a continuation of the existing level  
10 of functionality; or
- 11 (ii) expenditures made after a new or enhanced system has been  
12 legally accepted by the user and is being used for the business process for which it was  
13 intended.

14 (e) "Fund" means the Major Information Technology Development Project Fund.

15 **(F) "INFORMATION SYSTEM" MEANS A DISCRETE SET OF INFORMATION**  
16 **RESOURCES ORGANIZED FOR THE COLLECTION, PROCESSING, MAINTENANCE, USE,**  
17 **SHARING, DISSEMINATION, OR DISPOSITION OF INFORMATION.**

18 **[(f)] (G)** "Information technology" means all electronic information processing  
19 hardware and software, including:

- 20 (1) maintenance;
- 21 (2) telecommunications; **[and]**
- 22 (3) associated consulting services; **AND**
- 23 **(4) INFORMATION SYSTEMS.**

24 **[(g)] (H)** "Information technology services" means information provided by  
25 electronic means by or on behalf of a unit of State government.

26 **[(h)] (I)** "Major information technology development project" means any  
27 information technology development project that meets one or more of the following  
28 criteria:

- 1           (1)     the estimated total cost of development equals or exceeds \$1,000,000;
- 2           (2)     the project is undertaken to support a critical business function  
3 associated with the public health, education, safety, or financial well-being of the citizens  
4 of Maryland; or
- 5           (3)     the Secretary determines that the project requires the special attention  
6 and consideration given to a major information technology development project due to:
- 7                 (i)     the significance of the project’s potential benefits or risks;
- 8                 (ii)    the impact of the project on the public or local governments;
- 9                 (iii)  the public visibility of the project; or
- 10                (iv)  other reasons as determined by the Secretary.

11           **[(i)] (J)**     “Master plan” means the statewide information technology master  
12 plan.

13           **[(j)] (K)**     “Nonvisual access” means the ability, through keyboard control,  
14 synthesized speech, Braille, or other methods not requiring sight to receive, use, and  
15 manipulate information and operate controls necessary to access information technology in  
16 accordance with standards adopted under **[\$ 3A-303(b)] § 3.5-303(B)** of this subtitle.

17           **[(k)] (L)**     “Resource sharing” means the utilization of a State resource by private  
18 industry in exchange for the provision to the State of a communication service or other  
19 consideration.

20           **[(l)] (M)**     “Systems development life cycle plan” means a plan that defines all  
21 actions, functions, or activities to be performed by a unit of State government in the  
22 definition, planning, acquisition, development, testing, implementation, operation,  
23 enhancement, and modification of information technology systems.

24 3.5-302.

25           (c)     Notwithstanding any other provision of law, except as provided in subsection  
26 (a) of this section and **[\$§ 3A-307(a)(2), 3A-308, and 3A-309] §§ 3.5-307(A)(2), 3.5-308,**  
27 **AND 3.5-309** of this subtitle, this subtitle applies to all units of the Executive Branch of  
28 State government including public institutions of higher education other than Morgan  
29 State University, the University System of Maryland, and St. Mary’s College of Maryland,  
30 and Baltimore City Community College.

31 3.5-303.

32           (c)     On or before January 1, 2020, the Secretary, or the Secretary’s designee, shall:

1 (2) establish a process for the Secretary or the Secretary's designee to:

2 (ii) 2. for information technology procured by a State unit on or  
3 after January 1, 2020, enforce the nonvisual access clause developed under [§ 3A-311] §  
4 **3.5-311** of this subtitle, including the enforcement of the civil penalty described in [§  
5 3A-311(a)(2)(iii)1] § **3.5-311(A)(2)(III)1** of this subtitle.

6 3.5-307.

7 (a) (2) A unit of State government other than a public institution of higher  
8 education may not make expenditures for major information technology development  
9 projects except as provided in [§ 3A-308] § **3.5-308** of this subtitle.

10 3.5-309.

11 (c) The Secretary:

12 (2) subject to the provisions of § 2-201 of this article and [§ 3A-307] §  
13 **3.5-307** of this subtitle, may receive and accept contributions, grants, or gifts of money or  
14 property.

15 (i) The Fund may be used:

16 (3) notwithstanding [§ 3A-301(b)(2)] § **3.5-301(B)(2)** of this subtitle, for  
17 the costs of the first 12 months of operation and maintenance of a major information  
18 technology development project.

19 (l) (1) Notwithstanding subsection (b) of this section and in accordance with  
20 paragraph (2) of this subsection, money paid into the Fund under subsection (e)(2) of this  
21 section shall be used to support:

22 (i) the State telecommunication and computer network established  
23 under [§ 3A-404] § **3.5-404** of this title, including program development for these  
24 activities; and

25 3.5-311.

26 (a) (2) On or after January 1, 2020, the nonvisual access clause developed in  
27 accordance with paragraph (1) of this subsection shall include a statement that:

28 (i) within 18 months after the award of the procurement, the  
29 Secretary, or the Secretary's designee, will determine whether the information technology  
30 meets the nonvisual access standards adopted in accordance with [§ 3A-303(b)] §  
31 **3.5-303(B)** of this subtitle;

1 3.5–404.

2 (a) The General Assembly declares that:

3 (1) it is the policy of the State to foster telecommunication and computer  
4 networking among State and local governments, their agencies, and educational  
5 institutions in the State;

6 (2) there is a need to improve access, especially in rural areas, to efficient  
7 telecommunication and computer network connections;

8 (3) improvement of telecommunication and computer networking for State  
9 and local governments and educational institutions promotes economic development,  
10 educational resource use and development, and efficiency in State and local administration;

11 (4) rates for the intrastate inter–LATA telephone communications needed  
12 for effective integration of telecommunication and computer resources are prohibitive for  
13 many smaller governments, agencies, and institutions; and

14 (5) the use of improved State telecommunication and computer networking  
15 under this section is intended not to compete with commercial access to advanced network  
16 technology, but rather to foster fundamental efficiencies in government and education for  
17 the public good.

18 (b) (1) The Department shall establish a telecommunication and computer  
19 network in the State.

20 (2) The network shall consist of:

21 (i) one or more connection facilities for telecommunication and  
22 computer connection in each local access transport area (LATA) in the State; and

23 (ii) facilities, auxiliary equipment, and services required to support  
24 the network in a reliable and secure manner.

25 (c) The network shall be accessible through direct connection and through local  
26 intra–LATA telecommunications to State and local governments and public and private  
27 educational institutions in the State.

28 **(D) ON OR BEFORE DECEMBER 1 EACH YEAR, EACH UNIT OF THE**  
29 **LEGISLATIVE BRANCH OR JUDICIAL BRANCH OF STATE GOVERNMENT THAT USES**  
30 **THE NETWORK ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION SHALL**  
31 **CERTIFY TO THE DEPARTMENT THAT THE UNIT IS IN COMPLIANCE WITH THE**  
32 **DEPARTMENT’S MINIMUM SECURITY STANDARDS.**

33 12–107.

1 (b) Subject to the authority of the Board, jurisdiction over procurement is as  
2 follows:

3 (2) the Department of General Services may:

4 (i) engage in or control procurement of:

5 10. information processing equipment and associated  
6 services, as provided in Title [3A] 3.5, Subtitle 3 of this article; and

7 11. telecommunication equipment, systems, or services, as  
8 provided in Title [3A] 3.5, Subtitle 4 of this article;

9 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before April 1, 2023,  
10 each agency and unit of the Executive Branch of State government shall submit a report to  
11 the Governor that includes:

12 (1) an inventory of all information systems and applications used or  
13 maintained by the agency or unit;

14 (2) a full data inventory of the agency or unit;

15 (3) a list of all cloud or statistical analysis system solutions used by the  
16 agency or unit; and

17 (4) a list of all permanent and transient vendor interconnections that are  
18 in place.

19 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2022.