

HB0969/743227/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO HOUSE BILL 969
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike “and conduct a certain periodic assessment” and substitute “collect certain certifications, and submit a certain report”; in line 12, strike “contract” and substitute “engage”; and strike beginning with “requiring” in line 14 down through “assessments;” in line 15 and substitute “requiring each public service company to report a cybersecurity incident to certain entities; requiring the State Chief Information Security Officer, in consultation with the Commission, to establish a certain reporting process; requiring the State Security Operations Center to immediately notify certain agencies of a cybersecurity incident reported under this Act; providing that, for a certain fiscal year, funds from the Dedicated Purpose Account may be transferred by budget amendment to the Department of Information Technology for a certain purpose;”.

AMENDMENT NO. 2

On page 4, strike beginning with “STUDY” in line 8 down through “(V)” in line 12; in line 14, strike “(VI)” and substitute “(IV) PARTICIPATE IN BRIEFINGS TO DISCUSS CYBERSECURITY PRACTICES BASED ON:

1. APPLICABLE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS GUIDANCE; AND

2. IMPROVEMENTS TO CYBERSECURITY PRACTICES RECOMMENDED IN THE CYBERSECURITY ASSESSMENTS REQUIRED UNDER § 5-306 OF THIS ARTICLE; AND

(V)”;

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in the same line, strike “CONVENE WORKSHOPS WITH” and substitute “SUPPORT”; in line 15, after “STANDARDS” insert “WITH REMEDIATING VULNERABILITIES OR ADDRESSING CYBERSECURITY ASSESSMENT FINDINGS”; in the same line, strike “; AND” and substitute a period; and strike in their entirety lines 16 through 20, inclusive.

On page 5, in line 4, after “(8)” insert “(I)”; in lines 5, 9, and 11, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 10, after the semicolon insert “AND”; in line 11, strike “OCTOBER 1, 2023” and substitute “JANUARY 1, 2025”; in line 12, strike the comma and substitute “:

A.”;

in the same line, strike “EVALUATE” and substitute “COLLECT CERTIFICATIONS OF A PUBLIC SERVICE COMPANY’S COMPLIANCE WITH STANDARDS USED IN”; in the same line, strike “SUBMITTED” and substitute “CONDUCTED”; strike beginning with the comma in line 14 down through “PROTECTIONS” in line 15; in line 16, strike “(IV)” and substitute “B.”; strike beginning with “THE” in line 16 down through “PARAGRAPH” in line 17 and substitute “A REPORT”; and strike beginning with “OFFICE” in line 17 down through “MANAGEMENT” in line 19 and substitute “STATE CHIEF INFORMATION SECURITY OFFICER, OR THE OFFICER’S DESIGNEE.”

(II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE:

1. A GENERAL OVERVIEW OF CYBERSECURITY TECHNOLOGY AND POLICIES USED BY PUBLIC SERVICE COMPANIES IN THE STATE, GROUPED BY THE FOLLOWING TYPES:

A. INVESTOR-OWNED ELECTRIC COMPANIES;

B. ELECTRIC COOPERATIVES;

C. MUNICIPAL ELECTRIC COMPANIES;

D. GAS COMPANIES; AND

E. WATER COMPANIES;

**2. GENERAL RECOMMENDATIONS FOR IMPROVING
CYBERSECURITY TECHNOLOGY AND POLICIES USED BY PUBLIC SERVICE
COMPANIES IN THE STATE, GROUPED BY THE FOLLOWING TYPES:**

A. INVESTOR-OWNED ELECTRIC COMPANIES;

B. ELECTRIC COOPERATIVES;

C. MUNICIPAL ELECTRIC COMPANIES;

D. GAS COMPANIES; AND

E. WATER COMPANIES; AND

3. FOR EACH CERTIFICATION COLLECTED:

A. THE NAME OF THE PUBLIC SERVICE COMPANY;

**B. THE DATE OF THE PUBLIC SERVICE COMPANY'S
MOST RECENT CYBERSECURITY ASSESSMENT;**

(Over)

C. THE CYBERSECURITY FRAMEWORK USED IN THE CYBERSECURITY ASSESSMENT OF THE PUBLIC SERVICE COMPANY; AND

D. THE NAME OF THE ENTITY THAT COMPLETED THE CYBERSECURITY ASSESSMENT".

On page 7, in line 19, strike "BEGINNING IN 2024" and substitute "ON OR BEFORE JULY 1, 2024,"; in the same line, strike "AT LEAST ONCE" and substitute "ON OR BEFORE JULY 1"; in line 20, strike "CONTRACT WITH" and substitute "ENGAGE"; in line 22, after "ON" insert ":

1. THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY'S CROSS-SECTOR CYBERSECURITY PERFORMANCE GOALS; OR

2. A MORE STRINGENT STANDARD THAT IS BASED ON";

in line 24, strike the colon; and strike in their entirety lines 25 and 26.

On page 8, in line 1, strike "2."; after line 3, insert:

"(D) (1) EACH PUBLIC SERVICE COMPANY SHALL REPORT, IN ACCORDANCE WITH THE PROCESS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CYBERSECURITY INCIDENT, INCLUDING AN ATTACK ON A SYSTEM BEING USED BY THE PUBLIC SERVICE COMPANY, TO THE STATE SECURITY OPERATIONS CENTER IN THE DEPARTMENT OF INFORMATION TECHNOLOGY.

(2) THE STATE CHIEF INFORMATION SECURITY OFFICER, IN CONSULTATION WITH THE COMMISSION, SHALL ESTABLISH A PROCESS FOR A PUBLIC SERVICE COMPANY TO REPORT CYBERSECURITY INCIDENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING ESTABLISHING:

(I) THE CRITERIA FOR DETERMINING THE CIRCUMSTANCES UNDER WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED;

(II) THE MANNER IN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED; AND

(III) THE TIME PERIOD WITHIN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED.

(3) THE STATE SECURITY OPERATIONS CENTER SHALL IMMEDIATELY NOTIFY APPROPRIATE STATE AND LOCAL AGENCIES OF A CYBERSECURITY INCIDENT REPORTED UNDER THIS SUBSECTION.”;

strike beginning with “on” in line 10 down through “Act” in line 13 and substitute “for fiscal year 2024, 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 the Department of Information Technology for the purpose of adding additional staffing and operational capacity for the Department to improve State and local cybersecurity”; in line 14, after “That” insert “it is the intent of the General Assembly that the Public Service Commission work with the Cybersecurity and Infrastructure Security Agency and the Office of Security Management to improve the Commission’s capacity to implement the provisions of this Act.”

SECTION 4. AND BE IT FURTHER ENACTED, That”;

and in line 15, strike “October” and substitute “July”.