

# SENATE BILL 801

C8, F2

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CF HB 1189

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By: ~~Senator Hester~~ **Senators Hester and Jennings**

Introduced and read first time: February 6, 2023

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Economic Development – Cybersecurity – Cyber Maryland Program**

3 FOR the purpose of establishing the Cyber Maryland Program in the Maryland Technology  
4 Development Corporation to increase the cybersecurity workforce in the State, build  
5 an advanced cybersecurity workforce, and carry out other purposes related to the  
6 cybersecurity workforce in the State; establishing the Cyber Maryland Fund;  
7 establishing the Cyber Maryland Board; requiring the Maryland Higher Education  
8 Commission, in consultation with a certain organization, to expand the Cyber  
9 Warrior Diversity Program under certain circumstances on or before a certain date  
10 each year; repealing the requirement that the Commission allocate certain funds to  
11 certain institutions in the Cyber Warrior Diversity Program on a certain basis;  
12 establishing requirements related to unexpended funds allocated by the Commission  
13 under the Cyber Warrior Diversity Program; and generally relating to the Cyber  
14 Maryland Program.

15 BY adding to

16 Article – Economic Development

17 Section 10–496

18 Annotated Code of Maryland

19 (2018 Replacement Volume and 2022 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – Education

22 Section 11–1401(a), (c), and (d)

23 Annotated Code of Maryland

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### 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.



(2022 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–1402 and 11–1405  
Annotated Code of Maryland  
(2022 Replacement Volume)

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

**Article – Economic Development**

**10–496.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “BOARD” MEANS THE CYBER MARYLAND BOARD.**

**(3) “PROGRAM” MEANS THE CYBER MARYLAND PROGRAM.**

**(B) THERE IS A CYBER MARYLAND PROGRAM IN THE CORPORATION.**

**(C) THE PURPOSES OF THE PROGRAM ARE TO:**

**(1) CREATE AND EXECUTE A TALENT PIPELINE THAT MATERIALLY REDUCES WORKFORCE VACANCIES BY JULY 1, 2026;**

**(2) SERVE AS A ONE–STOP SHOP FOR EMPLOYERS SEEKING TO LEVERAGE CYBER WORKFORCE DEVELOPMENT PROGRAMS OFFERED BY THE STATE AND ITS PARTNERS;**

**(3) INFORM CYBERSECURITY TRAINING AND EDUCATION PROGRAMS OPERATED BY PUBLIC OR PRIVATE ENTITIES WITH INDUSTRY–DRIVEN NEEDS;**

**(4) BUILD THE MOST ADVANCED LOCAL AND STATE INFORMATION TECHNOLOGY WORKFORCE IN THE NATION, WHICH, TO THE MAXIMUM EXTENT POSSIBLE, REFLECTS THE RACIAL, GENDER, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE;**

**(5) COORDINATE AND ACCELERATE CYBERSECURITY RESEARCH AND INNOVATION IN THE STATE; AND**

1           **(6) SUPPORT THE EFFORTS OF THE DEPARTMENT OF INFORMATION**  
2 **TECHNOLOGY TO IMPROVE THE STATE GOVERNMENT’S CYBERSECURITY POSTURE,**  
3 **INCLUDING STATE AGENCIES, LOCAL GOVERNMENT UNITS, AND CRITICAL**  
4 **INFRASTRUCTURE.**

5           **(D) THE PROGRAM SHALL:**

6           **(1) CONDUCT ONGOING RESEARCH BY COLLABORATING WITH THE**  
7 **CYBERSECURITY ASSOCIATION OF MARYLAND, INC., CYBERSECURITY TALENT**  
8 **ADVISORY BOARD TO COLLECT AND ANALYZE REAL-TIME INDUSTRY DATA TO**  
9 **IDENTIFY CYBERSECURITY WORKFORCE NEEDS AS DESCRIBED IN THE U.S.**  
10 **CHAMBER OF COMMERCE TALENT PIPELINE MANAGEMENT APPROACH;**

11           **(2) USE THE RESULTS OF THE RESEARCH DESCRIBED IN ITEM (1) OF**  
12 **THIS SUBSECTION TO INCREASE THE EFFECTIVENESS OF EXISTING STATE**  
13 **CYBERSECURITY WORKFORCE PROGRAMS FOR EMPLOYERS IN THE STATE;**

14           **(3) FACILITATE PARTNERSHIPS FOR NEW TRAINING AND EDUCATION**  
15 **PROGRAMS TO ADDRESS THE WORKFORCE NEEDS IDENTIFIED UNDER ITEM (1) OF**  
16 **THIS SUBSECTION;**

17           **(4) DEVELOP A STATEWIDE STRATEGIC PLAN FOR CYBERSECURITY**  
18 **WORKFORCE DEVELOPMENT, USING THE RESULTS OF THE RESEARCH DESCRIBED IN**  
19 **ITEM (1) OF THIS SUBSECTION AND WITH INPUT FROM THE CYBERSECURITY**  
20 **ASSOCIATION OF MARYLAND, INC., CYBERSECURITY TALENT ADVISORY BOARD ON**  
21 **OR BEFORE DECEMBER 1, 2023;**

22           **(5) ADMINISTER AND MANAGE THE CYBER MARYLAND FUND; AND**

23           **(6) ENSURE THAT OUTCOMES OF THE PROGRAM ARE INCLUSIVE AND,**  
24 **TO THE MAXIMUM EXTENT PRACTICABLE, REFLECT THE RACIAL, GENDER, ETHNIC,**  
25 **AND GEOGRAPHIC DIVERSITY OF THE STATE.**

26           **(E) (1) IN THIS SUBSECTION, “FUND” MEANS THE CYBER MARYLAND**  
27 **FUND.**

28           **(2) THERE IS A CYBER MARYLAND FUND.**

29           **(3) THE PURPOSES OF THE FUND ARE TO:**

30           **(I) ACHIEVE THE PURPOSES IDENTIFIED UNDER SUBSECTION**  
31 **(C) OF THIS SECTION; AND**

1 (II) SUPPORT INNOVATIVE APPROACHES TO MEETING  
2 CYBERSECURITY WORKFORCE NEEDS.

3 (4) THE PROGRAM SHALL ADMINISTER THE FUND.

4 (5) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
5 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

6 (II) THE STATE TREASURER SHALL HOLD THE FUND  
7 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

8 (6) THE FUND CONSISTS OF:

9 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE  
10 FUND; AND

11 (II) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED  
12 FOR THE BENEFIT OF THE FUND.

13 (7) THE FUND MAY BE USED ONLY FOR:

14 (I) ADMINISTERING THE PROGRAM; AND

15 (II) PROVIDING GRANTS TO ELEMENTARY AND SECONDARY  
16 SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, INCLUDING COMMUNITY  
17 COLLEGES, FOR-PROFIT CORPORATIONS, AND NONPROFIT ORGANIZATIONS TO  
18 OPERATE CYBERSECURITY PROGRAMS BASED ON THE STRATEGIC PLAN OF THE  
19 PROGRAM.

20 (8) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE  
21 FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

22 (II) ANY INTEREST EARNINGS OF THE FUND SHALL BE  
23 CREDITED TO THE GENERAL FUND OF THE STATE.

24 (9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN  
25 ACCORDANCE WITH THE STATE BUDGET.

26 (10) FOR FISCAL YEAR 2025 AND EACH YEAR THEREAFTER, THE  
27 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF  
28 \$250,000 FOR THE FUND.

1           **(11) FOR FISCAL YEAR 2025 AND EACH YEAR THEREAFTER, \$250,000**  
2 **OF THE FUND SHALL BE USED FOR IMPLEMENTING THE U.S. CHAMBER OF**  
3 **COMMERCE TALENT PIPELINE MANAGEMENT APPROACH.**

4           **(12) (I) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET**  
5 **BILL AN APPROPRIATION IN AN AMOUNT SUFFICIENT FOR HIRING INDIVIDUALS TO**  
6 **CONDUCT THE DUTIES OF THE PROGRAM, INCLUDING AN EXECUTIVE DIRECTOR**  
7 **AND AT LEAST ONE ADMINISTRATOR.**

8                   **(II) THE EXECUTIVE DIRECTOR SHALL:**

9                           1.     **BE APPOINTED BY THE CHIEF EXECUTIVE OFFICER;**

10                           2.     **HAVE RELEVANT QUALIFICATIONS AND EXPERIENCE**  
11 **WITH THE ACTIVITIES AND PURPOSES OF THE PROGRAM; AND**

12                           3.     **SERVE AT THE PLEASURE OF THE CHIEF EXECUTIVE**  
13 **OFFICER.**

14           **(F) (1) THERE IS A CYBER MARYLAND BOARD.**

15                   **(2) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:**

16                           **(I) THE SENATE AND HOUSE OF DELEGATES COCHAIRS OF THE**  
17 **JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND**  
18 **BIOTECHNOLOGY;**

19                           **(II) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;**

20                           **(III) THE SECRETARY OF LABOR, OR THE SECRETARY'S**  
21 **DESIGNEE;**

22                           **(IV) THE MARYLAND SECRETARY OF VETERANS AFFAIRS, OR**  
23 **THE SECRETARY'S DESIGNEE;**

24                           **(V) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE**  
25 **SECRETARY'S DESIGNEE;**

26                           **(VI) THE CHAIR OF THE BOARD OF DIRECTORS OF THE**  
27 **CYBERSECURITY ASSOCIATION OF MARYLAND, INC., OR THE CHAIR'S DESIGNEE;**

28                           **(VII) THE CHAIR OF THE MARYLAND WORKFORCE ASSOCIATION,**  
29 **OR THE CHAIR'S DESIGNEE;**

1 (VIII) THE FOLLOWING MEMBERS, APPOINTED BY THE  
2 GOVERNOR:

3 1. FIVE MEMBERS FROM THE PRIVATE SECTOR WITH  
4 CYBERSECURITY NEEDS;

5 2. ONE REPRESENTATIVE FROM A NONPROFIT  
6 ORGANIZATION WITH EXPERTISE IN CYBERSECURITY TALENT DEVELOPMENT;

7 3. ONE REPRESENTATIVE FROM A COMMUNITY  
8 COLLEGE;

9 4. ONE REPRESENTATIVE FROM A 4-YEAR, PUBLIC  
10 HBCU COLLEGE;

11 5. ONE REPRESENTATIVE FROM A 4-YEAR, PUBLIC  
12 COLLEGE; AND

13 (IX) THE CHIEF EXECUTIVE OFFICER, OR THE CHIEF  
14 EXECUTIVE OFFICER'S DESIGNEE.

15 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE  
16 MEMBERS OF THE BOARD SHALL ELECT A CHAIR FROM AMONG THE MEMBERS OF  
17 THE BOARD.

18 (II) THE CHAIR MAY NOT BE:

19 1. A STATE EMPLOYEE; OR

20 2. THE CHIEF EXECUTIVE OFFICER.

21 (4) THE BOARD SHALL:

22 (I) PROVIDE INPUT REGARDING THE DEVELOPMENT OF THE  
23 STATEWIDE CYBERSECURITY WORKFORCE DEVELOPMENT STRATEGIC PLAN  
24 REQUIRED UNDER SUBSECTION (D)(4) OF THIS SECTION;

25 (II) ASSIST THE EXECUTIVE DIRECTOR AND STAFF OF THE  
26 PROGRAM WITH STAKEHOLDER OUTREACH AND ENGAGEMENT;

27 (III) HELP THE EXECUTIVE DIRECTOR OF THE PROGRAM  
28 EXPLORE SYNERGIES WHERE APPROPRIATE WITH CYBERSECURITY WORKFORCE  
29 DEVELOPMENT EFFORTS BY REGIONAL AND COUNTY WORKFORCE DEVELOPMENT  
30 ENTITIES;

1 (IV) COORDINATE AS NECESSARY WITH THE MARYLAND  
2 DEPARTMENT OF LABOR AND THE DEPARTMENT; AND

3 (V) PROVIDE OTHER ADVICE AND SUPPORT FOR THE PROGRAM.

4 (5) A MEMBER OF THE BOARD:

5 (I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE  
6 BOARD; BUT

7 (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER  
8 THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE  
9 BUDGET.

10 (6) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER OF THE  
11 BOARD FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES  
12 OF THE POSITION.

13 (G) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2026, THE  
14 PROGRAM, IN CONJUNCTION WITH THE CORPORATION, SHALL SUBMIT A REPORT  
15 ON THE OPERATION AND PERFORMANCE OF THE PROGRAM TO THE GOVERNOR AND,  
16 IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE  
17 GENERAL ASSEMBLY.

18 **Article – Education**

19 11-1401.

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

21 (c) “Governing entity” means:

22 (1) The Board of Trustees of Baltimore City Community College;

23 (2) The President of Bowie State University;

24 (3) The President of Coppin State University;

25 (4) The Board of Regents of Morgan State University;

26 (5) The President of the University of Maryland Eastern Shore; and

27 (6) The President of the University of Maryland Baltimore County  
28 Training Centers.

1 (d) "Program" means a Cyber Warrior Diversity Program.

2 11-1402.

3 (a) There is a Cyber Warrior Diversity Program at:

4 (1) Baltimore City Community College;

5 (2) Bowie State University;

6 (3) Coppin State University;

7 (4) Morgan State University;

8 (5) The University of Maryland Eastern Shore; and

9 (6) The University of Maryland Baltimore County Training Centers that  
10 are located in the State.

11 (b) The purpose of each Program is to train students in computer networking and  
12 cybersecurity.

13 (c) The governing entity at each institution is responsible for administering the  
14 Program at that institution.

15 **(D) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2024, THE**  
16 **COMMISSION, IN CONSULTATION WITH THE CYBERSECURITY ASSOCIATION OF**  
17 **MARYLAND, INC., SHALL, IF APPLICABLE, EXPAND THE PROGRAM TO**  
18 **ACCOMMODATE ANY CHANGES IN CERTIFICATION TRENDS IDENTIFIED UNDER §**  
19 **10-496 OF THE ECONOMIC DEVELOPMENT ARTICLE.**

20 11-1405.

21 (a) Subject to the requirements of this section, for fiscal year 2020 and each fiscal  
22 year thereafter, the Governor shall include in the annual State operating budget an  
23 appropriation of \$2,500,000 for the Commission to provide grants to Baltimore City  
24 Community College, Bowie State University, Coppin State University, Morgan State  
25 University, the University of Maryland Eastern Shore, and the University of Maryland  
26 Baltimore County Training Centers for the Program established under this section.

27 (b) Grants provided under subsection (a) of this section shall be in the amount of:

28 (1) At least \$10,000 per student at:

29 (i) Baltimore City Community College;

30 (ii) Bowie State University;



1 (iii) Coppin State University;

2 (iv) Morgan State University; and

3 (v) The University of Maryland Eastern Shore; and

4 (2) \$500 per student at the University of Maryland Baltimore County  
5 Training Centers, for the purpose of participation in job apprenticeship events.

6 (c) On or before December 15, 2019, and each December 15 thereafter, the  
7 governing entities shall notify the Commission of the number of students enrolled in each  
8 institution's Program for the current academic year.

9 (d) [(1)] The funding provided in each fiscal year in accordance with this section  
10 shall supplement, but not supplant, any funds that would otherwise be provided for each  
11 institution.

12 [(2) The Commission annually shall allocate funds to Baltimore City  
13 Community College, Bowie State University, Coppin State University, Morgan State  
14 University, the University of Maryland Eastern Shore, and the University of Maryland  
15 Baltimore County Training Centers on a pro rata basis according to the most recent  
16 enrollment data required under subsection (c) of this section.]

17 **(E) NOTWITHSTANDING § 7-302 OF THE STATE FINANCE AND**  
18 **PROCUREMENT ARTICLE, AT THE END OF EACH FISCAL YEAR, ANY UNEXPENDED**  
19 **FUNDS ALLOCATED BY THE COMMISSION UNDER THIS SECTION SHALL:**

20 **(1) REVERT TO THE COMMISSION TO BE ALLOCATED UNDER THIS**  
21 **SECTION FOR THE UPCOMING FISCAL YEAR; AND**

22 **(2) BE USED TO SUPPLEMENT, BUT NOT SUPPLANT, THE AMOUNT**  
23 **REQUIRED TO BE APPROPRIATED TO THE COMMISSION TO BE ALLOCATED UNDER**  
24 **THIS SECTION FOR THE UPCOMING FISCAL YEAR.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That:

26 (a) In this section, "Program" means the Cyber Maryland Program established  
27 under § 10-496 of the Economic Development Article, as enacted by Section 1 of this Act.

28 (b) It is the intent of the General Assembly that:

29 (1) the Program immediately consider the Cybersecurity Pathways Across  
30 Maryland from the U.S. Department of Labor's Trade Adjustment Assistance Community  
31 College & Career Training (2014-2018) as an immediate, proven, and scalable mechanism  
32 to fill jobs; and

1 (2) in implementing the plan required under § 10–496(d)(4) of the  
2 Economic Development Article, as enacted by Section 1 of this Act, the Program consider:

3 (i) the role and scale of the following programs:

- 4 1. K–12 Career Pathways & Teacher Externships;
- 5 2. the Maryland Technology Internship Program;
- 6 3. the Maryland EARN Program;
- 7 4. the Maryland Apprenticeship & Training Program; and
- 8 5. the Cyber Warrior Diversity Program; and

9 (ii) the development of cyber range scenarios and provision of cyber  
10 range training through appropriate partners.

11 SECTION 3. AND BE IT FURTHER ENACTED, That, for fiscal year 2025 and each  
12 year thereafter, funds from the Dedicated Purpose Account may be transferred by budget  
13 amendment in accordance with § 7–310 of the State Finance and Procurement Article to  
14 implement this Act.

15 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
16 1, 2023.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.