

SENATE BILL 801

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By: **Senator Hester**

Introduced and read first time: February 6, 2023

Assigned to: Finance

A BILL ENTITLED

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

24 (2022 Replacement Volume)

25 BY repealing and reenacting, with amendments,

26 Article – Education

27 Section 11–1402 and 11–1405

28 Annotated Code of Maryland

29 (2022 Replacement Volume)

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

3 **Article – Economic Development**

4 **10-496.**

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

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

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

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

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

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

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

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

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

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

24 (6) SUPPORT THE EFFORTS OF THE DEPARTMENT OF INFORMATION
25 TECHNOLOGY TO IMPROVE THE STATE GOVERNMENT’S CYBERSECURITY POSTURE,
26 INCLUDING STATE AGENCIES, LOCAL GOVERNMENT UNITS, AND CRITICAL
27 INFRASTRUCTURE.

28 (D) THE PROGRAM SHALL:

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

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

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

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

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

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

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

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

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

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

27 **(II) SUPPORT INNOVATIVE APPROACHES TO MEETING**
28 **CYBERSECURITY WORKFORCE NEEDS.**

29 **(4) THE PROGRAM SHALL ADMINISTER THE FUND.**

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

1 **(II) THE STATE TREASURER SHALL HOLD THE FUND**
2 **SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

3 **(6) THE FUND CONSISTS OF:**

4 **(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
5 **FUND; AND**

6 **(II) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
7 **FOR THE BENEFIT OF THE FUND.**

8 **(7) THE FUND MAY BE USED ONLY FOR:**

9 **(I) ADMINISTERING THE PROGRAM; AND**

10 **(II) PROVIDING GRANTS TO ELEMENTARY AND SECONDARY**
11 **SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, INCLUDING COMMUNITY**
12 **COLLEGES, AND NONPROFIT ORGANIZATIONS TO OPERATE CYBERSECURITY**
13 **PROGRAMS BASED ON THE STRATEGIC PLAN OF THE PROGRAM.**

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

16 **(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE**
17 **CREDITED TO THE GENERAL FUND OF THE STATE.**

18 **(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN**
19 **ACCORDANCE WITH THE STATE BUDGET.**

20 **(10) FOR FISCAL YEAR 2025 AND EACH YEAR THEREAFTER, THE**
21 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**
22 **\$250,000 FOR THE FUND.**

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

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

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

- 1 1. **BE APPOINTED BY THE CHIEF EXECUTIVE OFFICER;**
- 2 2. **HAVE RELEVANT QUALIFICATIONS AND EXPERIENCE**
3 **WITH THE ACTIVITIES AND PURPOSES OF THE PROGRAM; AND**
- 4 3. **SERVE AT THE PLEASURE OF THE CHIEF EXECUTIVE**
5 **OFFICER.**

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

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

8 **(I) THE SENATE AND HOUSE OF DELEGATES COCHAIRS OF THE**
9 **JOINT COMMITTEE ON CYBERSECURITY, INFORMATION TECHNOLOGY, AND**
10 **BIOTECHNOLOGY;**

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

12 **(III) THE SECRETARY OF LABOR, OR THE SECRETARY'S**
13 **DESIGNEE;**

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

16 **(V) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE**
17 **SECRETARY'S DESIGNEE;**

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

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

22 **(VIII) THE FOLLOWING MEMBERS, APPOINTED BY THE**
23 **GOVERNOR:**

24 1. **FIVE MEMBERS FROM THE PRIVATE SECTOR WITH**
25 **CYBERSECURITY NEEDS;**

26 2. **ONE REPRESENTATIVE FROM A NONPROFIT**
27 **ORGANIZATION WITH EXPERTISE IN CYBERSECURITY TALENT DEVELOPMENT;**

1 (2) Bowie State University;

2 (3) Coppin State University;

3 (4) Morgan State University;

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

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

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

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

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

16 11-1405.

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

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

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

25 (i) Baltimore City Community College;

26 (ii) Bowie State University;

27 (iii) Coppin State University;

28 (iv) Morgan State University; and

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

1 (2) \$500 per student at the University of Maryland Baltimore County
2 Training Centers, for the purpose of participation in job apprenticeship events.

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

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

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

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

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

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

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

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

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

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

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

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

33 1. K-12 Career Pathways & Teacher Externships;

- 1 2. the Maryland Technology Internship Program;
- 2 3. the Maryland EARN Program;
- 3 4. the Maryland Apprenticeship & Training Program; and
- 4 5. the Cyber Warrior Diversity Program; and

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

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

11 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2023.