

# SENATE BILL 294

P1, S2

(5lr2179)

## ENROLLED BILL

— *Education, Energy, and the Environment/Health and Government Operations* —

Introduced by ~~Senator Feldman~~ Senators Feldman, Attar, Brooks, Hester, Kagan, Simonaire, and Watson

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

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

1 AN ACT concerning

2 **Maryland Cybersecurity Council – ~~Membership~~ Alterations**

3 FOR the purpose of altering the selection of the membership and chair of the Maryland  
4 Cybersecurity Council; requiring the Council, working with certain entities, to assess  
5 and address cybersecurity threats and associated risks from artificial intelligence  
6 and quantum computing; and generally relating to the Maryland Cybersecurity  
7 Council ~~membership~~.

8 BY repealing and reenacting, without amendments,  
9 Article – State Government  
10 Section 9–2901(b)  
11 Annotated Code of Maryland  
12 (2021 Replacement Volume and 2024 Supplement)

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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.

*Italics indicate opposite chamber/conference committee amendments.*



BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2901(c) ~~and~~, (f), and (j)  
Annotated Code of Maryland  
(2021 Replacement Volume and 2024 Supplement)

BY repealing  
Article – State Government  
Section 9–2901(g)  
Annotated Code of Maryland  
(2021 Replacement Volume and 2024 Supplement)

BY adding to  
Article – State Government  
Section 9–2901(g)  
Annotated Code of Maryland  
(2021 Replacement Volume and 2024 Supplement)

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

### **Article – State Government**

9–2901.

(b) There is a Maryland Cybersecurity Council.

(c) The Council consists of the following members:

(1) the Attorney General, or the Attorney General’s designee;

(2) the Secretary of Information Technology, or the Secretary’s designee;

(3) the Secretary of State Police, or the Secretary’s designee;

(4) the Secretary of Commerce, or the Secretary’s designee;

(5) the Adjutant General, or the Adjutant General’s designee;

(6) the State Administrator of Elections, or the State Administrator’s  
designee;

(7) the Executive Director of the Governor’s Office of Homeland Security,  
or the Executive Director’s designee;

(8) the Director of the Maryland Coordination and Analysis Center, or the  
Director’s designee;

(9) the Secretary of Emergency Management, or the Secretary's designee;

(10) THE PEOPLE'S COUNSEL, OR THE DESIGNEE OF THE PEOPLE'S COUNSEL;

(11) the Chief Executive Officer of the Maryland Technology Development Corporation, or the Chief Executive Officer's designee;

~~(11)~~ (12) the Chair of the Tech Council of Maryland, or the Chair's designee;

~~(12)~~ (13) the President of the Fort Meade Alliance, or the President's designee;

~~(13)~~ (14) the President of the Army Alliance, or the President's designee;  
and

~~(14)~~ (15) ~~the following members appointed by the [Attorney General]~~  
~~GOVERNOR;~~

(i) ~~five~~ FOUR representatives of cybersecurity companies located in the State, with at least three representing cybersecurity companies with 50 or fewer employees, DESIGNATED BY THE CYBERSECURITY ASSOCIATION OF MARYLAND;

~~(ii) four representatives from statewide or regional business associations;~~

(16) THE CHIEF EXECUTIVE OFFICER OF THE MARYLAND CHAMBER OF COMMERCE, OR THE CHIEF EXECUTIVE OFFICER'S DESIGNEE;

(17) THE EXECUTIVE DIRECTOR OF THE CYBERSECURITY ASSOCIATION OF MARYLAND, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

~~(iii) up to ten~~

(18) ~~EIGHT~~ NINE representatives from institutions of higher education located in the State WITH EXPERTISE IN CYBERSECURITY, WITH AT LEAST FOUR REPRESENTATIVES WITH EXPERTISE IN ARTIFICIAL INTELLIGENCE AND QUANTUM COMPUTING, INCLUDING:

(I) THE PRESIDENT, OR THE PRESIDENT'S DESIGNEE, OF:

1. BOWIE STATE UNIVERSITY;

1                    2.    **JOHNS HOPKINS UNIVERSITY;**

2                    3.    **MORGAN STATE UNIVERSITY;**

3                    4.    **THE UNIVERSITY OF MARYLAND, BALTIMORE**  
4 **CAMPUS;**

5                    5.    **THE UNIVERSITY OF MARYLAND, BALTIMORE**  
6 **COUNTY; AND**

7                    6.    **THE UNIVERSITY OF MARYLAND, COLLEGE PARK**  
8 **CAMPUS; AND**

9                    (II)   **THE DEAN OF THE UNIVERSITY OF MARYLAND GLOBAL**  
10 **CAMPUS SCHOOL OF CYBERSECURITY AND INFORMATION TECHNOLOGY, OR THE**  
11 **DEAN'S DESIGNEE; AND**

12                    ~~(H)   **TWO ADDITIONAL REPRESENTATIVES DESIGNATED BY THE**~~  
13 ~~**UNIVERSITY SYSTEM OF MARYLAND, WITH DUE CONSIDERATION OF GEOGRAPHIC**~~  
14 ~~**DIVERSITY;**~~

15                    (III)   **TWO ADDITIONAL REPRESENTATIVES DESIGNATED BY THE**  
16 **CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND;**

17                    ~~(iv)   **one representative of a crime victims organization;**~~

18                    ~~(v)   **four representatives from industries that may be susceptible to**~~  
19 ~~**attacks on cybersecurity, including at least one representative of a bank, whether or not**~~  
20 ~~**State chartered, that has a branch in the State;**~~

21                    ~~(vi)   **two representatives of organizations that have expertise in**~~  
22 ~~**electronic health care records; and**~~

23                    (19)   **THE DIRECTOR OF CASH CAMPAIGN OF MARYLAND, OR THE**  
24 **DIRECTOR'S DESIGNEE;**

25                    (20)   **THE EXECUTIVE DIRECTOR OF ECONOMIC ACTION MARYLAND,**  
26 **OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

27                    (21)   **ONE BANK CHIEF INFORMATION SECURITY OFFICER, DESIGNATED**  
28 **BY THE MARYLAND BANKERS ASSOCIATION;**

29                    (22)   **ONE HOSPITAL CHIEF INFORMATION SECURITY OFFICER,**  
30 **DESIGNATED BY THE MARYLAND HOSPITAL ASSOCIATION;**

1           **(23) ONE WATER SYSTEMS CHIEF INFORMATION SECURITY OFFICER**  
2 **WHO WORKS FOR A WATER SYSTEM LOCATED IN THE STATE, DESIGNATED BY THE**  
3 **NATIONAL ASSOCIATION OF WATER COMPANIES;**

4           **(24) ONE ELECTRIC COMPANY CHIEF INFORMATION SECURITY**  
5 **OFFICER WHO WORKS IN THE STATE FOR AN ELECTRIC COMPANY SERVING**  
6 **CUSTOMERS IN THE STATE, DESIGNATED BY THE EDISON ELECTRIC INSTITUTE;**

7           **(25) THE EXECUTIVE DIRECTOR OF THE ELECTRONIC PRIVACY**  
8 **INFORMATION CENTER, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

9           **(26) THE EXECUTIVE DIRECTOR OF THE CENTER FOR DEMOCRACY**  
10 **AND TECHNOLOGY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

11           **(27) THE CHIEF EXECUTIVE OFFICER OF THE TECHNOLOGY**  
12 **ADVANCEMENT CENTER, OR THE CHIEF EXECUTIVE OFFICER'S DESIGNEE;**

13           **(28) THE DIRECTOR OF THE CENTER FOR GOVERNANCE OF**  
14 **TECHNOLOGY AND SYSTEMS, OR THE DIRECTOR'S DESIGNEE; AND**

15           ~~(viii)~~ **(29)** any other stakeholder that the [Attorney General]  
16 ~~GOVERNOR CHAIR~~ determines appropriate.

17           (f) The [Attorney General] ~~GOVERNOR CHAIR~~ also shall invite, as appropriate,  
18 the following representatives of federal agencies to serve on the Council:

19           (1) the Director of the National Security Agency, or the Director's designee;

20           (2) the Secretary of Homeland Security, or the Secretary's designee;

21           (3) the Director of the Defense Information Systems Agency, or the  
22 Director's designee;

23           (4) **THE DIRECTOR OF THE NATIONAL INSTITUTE FOR SCIENCE AND**  
24 **TECHNOLOGY, OR THE DIRECTOR'S DESIGNEE;**

25           **(5)** the Director of the Intelligence Advanced Research Projects Activity, or  
26 the Director's designee; and

27           ~~(5)~~ **(6)** any other federal agency that the ~~Attorney General~~ **CHAIR**  
28 determines appropriate.

29           [(g) The Attorney General, or the Attorney General's designee, shall chair the  
30 Council.]

(G) (1) ~~BEGINNING~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,  
BEGINNING OCTOBER 1, 2025, AND EVERY 2 YEARS THEREAFTER, THE COUNCIL  
SHALL ELECT A CHAIR AND VICE CHAIR FROM AMONG THE MEMBERS OF THE  
COUNCIL.

(2) ONE SHALL BE A STATE EMPLOYEE AND ONE SHALL BE A  
NON-STATE EMPLOYEE.

(j) The Council shall work with the National Institute of Standards and  
Technology and other federal agencies, private sector businesses, NONPROFITS, and  
private cybersecurity experts to ASSESS AND ADDRESS CYBERSECURITY THREATS AND  
ASSOCIATED RISKS FROM ARTIFICIAL INTELLIGENCE AND QUANTUM COMPUTING  
TO:

(1) for critical infrastructure [not covered by federal law or the Executive  
Order], review and conduct risk assessments to determine which local infrastructure  
sectors are at the greatest risk of cyber attacks and need the most enhanced cybersecurity  
measures;

(2) use federal guidance to identify categories of critical infrastructure as  
critical cyber infrastructure if cyber damage or unauthorized cyber access to the  
infrastructure could reasonably result in catastrophic consequences, including:

(i) interruption in the provision of energy, water, transportation,  
emergency services, food, or other life-sustaining services sufficient to cause a mass  
casualty event or mass evacuations;

(ii) catastrophic economic damage; or

(iii) severe degradation of State or national security;

(3) assist infrastructure entities that are not covered by the Executive  
Order in complying with federal cybersecurity guidance;

(4) assist private sector cybersecurity businesses in adopting, adapting,  
and implementing the National Institute of Standards and Technology cybersecurity  
framework of standards and practices;

(5) examine inconsistencies between State and federal laws regarding  
cybersecurity;

(6) recommend a comprehensive State strategic plan to ensure a  
coordinated and adaptable response to and recovery from cybersecurity attacks; [and]

1                    (7) ADDRESS SENSITIVE PRIVACY INTERESTS OF STATE RESIDENTS  
2 RELATED TO CYBERSECURITY AND ASSOCIATED RISKS;

3                    (8) ADDRESS EMERGING THREATS POSED BY ARTIFICIAL  
4 INTELLIGENCE, INCLUDING:

5                    (I) ADVERSARIAL ARTIFICIAL INTELLIGENCE;

6                    (II) CYBER ATTACKS;

7                    (III) DEEPFAKE TECHNOLOGIES;

8                    (IV) UNETHICAL USE; AND

9                    (V) FRAUD; AND

10                   [(7)] (9) recommend any legislative changes considered necessary by the  
11 Council to address cybersecurity issues.

12                   SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General  
13 Assembly that the Maryland Cybersecurity Council reviews and adjusts its subcommittee  
14 structure, if necessary, and implements appropriate bylaws of operation consistent with  
15 State law by December 1, 2025.

16                   SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2025.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.