

KATIE FRY HESTER
Legislative District 9
Howard and Montgomery Counties

Education, Energy, and
Environment Committee

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 304
Annapolis, Maryland 21401
410-841-3671 · 301-858-3671
800-492-7122 Ext. 3671
KatieFry.Hester@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB868 - State and Local Cybersecurity - Revisions

March 7th, 2023

Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and Environment Committee, thank you for your consideration of SB868.

I want to begin my testimony by expressing my sincerest gratitude to members of this Committee who spent hours upon hours in this room last year, developing and refining our state's first comprehensive cybersecurity reform package. Since then, I have tracked the progress of this package's implementation, and I am happy to say that the Department of IT and the Department of Emergency Management have done a fabulous job.

I would also like to express my gratitude to both administrations for making a substantial investment in this year's budget to fund cybersecurity positions and numerous provisions from the legislative package. As you may recall, there were a total of 3 bills, and a summary of each is [linked to my testimony](#). The three bills were:

- SB 754, The Local Cybersecurity Support Act, which extends state resources and technical expertise to units of local government, including schools and health departments;
- SB 812, The Cybersecurity Governance Act, which codifies the position of Chief Information Security Officer & the Office of Security Management, as well as 20 other recommendations from the Maryland Cybersecurity Council's 2021 study; and
- SB 811/HB 1205, The Modernize Maryland Act, which provides a strategy and funding mechanism to upgrade or replace our state's legacy systems.

Over the interim, I worked with the Department of Emergency Management, the Department of Information Technology and the authors of the [2021 Analysis & Recommendations](#) to understand which sections of the statute needed to be adjusted as implementation occurred. As the Moore administration and their Secretaries have taken office, I have also worked to include their perspectives in this short timeframe.

The bill in front of you makes several technical corrections to last year's comprehensive cybersecurity package. I believe the version of SB 868 as amended addresses everyone's input and concerns. Specifically, as amended SB 868:

- Provides more flexibility to the description of staffing PINS in the Department of Emergency Management's Cyber Preparedness Unit;
- Clarifies the role of the State's Chief Information Security Officer in developing and maintaining a statewide cybersecurity strategy (while maintaining the current reporting structure to the Secretary of IT);
- Clarifies the role of the Director of State Cybersecurity and Local Cybersecurity;
- Clarifies that the Governor MAY (instead of shall) include necessary appropriations to cover the cost of implementing a cybersecurity strategy, and to the Dedicated Purpose Account for Cybersecurity;
- Expands the state's cybersecurity policy to include additional, widely-recognized standards beyond the NIST Framework where appropriate;
- Adjusts membership on the Modernize Maryland Commission for an more equal private-public sector balance and clarifies the process by which the Commission can select it's chair;
- Clarifies the reporting process for units of local government when they experience a cyber incident, and further clarifies that information uncovered in an assessment or audit will not be used to fine or penalize local governments; and
- Clarifies the process by which the Office of Security Management should ensure compliance with the minimum cybersecurity standards.

The sponsor amendments, based on conversations with the Moore administration, Secretary Savage, Secretary Strickland, and other experts will align our goals, perspectives, and processes. **For these reasons, I request a favorable report on SB868.**

Sincerely,

A handwritten signature in black ink that reads "Katie Fry Hester". The signature is written in a cursive, slightly slanted style.

Senator Katie Fry Hester
Howard & Montgomery Counties