HB 235 – State Government – Information Technology – Cybersecurity Revisions
House Health and Government Operations Committee
February 4, 2025
Favorable with Amendments

Chair Peña-Melnyk and Members of the Committee

Good afternoon, Chair Peña-Melnyk and members of the House Health and Government Operations Committee. My name is Tasha Cornish, and I am the Executive Director of the Cybersecurity Association, Inc. (CA), a statewide, nonprofit 501(c)(6) organization dedicated to the growth and success of Maryland's cybersecurity industry. Established in 2015, CA represents over 600 businesses, ranging from Fortune 500 companies to independent operators, collectively employing nearly 100,000 Marylanders.

Thank you for the opportunity to provide testimony on **House Bill 235 – State Government – Information Technology – Cybersecurity Revisions**. This bill makes important clarifications to Maryland's cybersecurity framework, particularly regarding the reporting obligations of the Office of Security Management (OSM) within the Department of Information Technology (DoIT). The Cybersecurity Association, Inc. **supports HB 235 with an amendment** to modify rather than eliminate the cybersecurity expenditure report requirement.

Recommended Amendment: Adjust the Timing of the Cybersecurity Expenditure Report

- **Current Proposal**: HB 235 removes the requirement for DoIT to include an analysis of the **State's cybersecurity expenditures relative to overall information technology spending for the prior three years**, as well as recommendations for **budgetary changes to improve cybersecurity preparedness at the state and local levels**. The rationale for this change is that such a report could **preempt the Governor's budget process** and therefore violate **executive privilege**.

- **Concern**: While we recognize the importance of respecting the executive budget process, eliminating this reporting requirement entirely would **reduce legislative transparency and oversight** of cybersecurity funding in Maryland.

- **Recommended Change**: Instead of repealing this requirement, the bill should **modify the timeline** so that the report is submitted **after the Governor releases the budget**. This ensures that:

  - **Executive privilege is respected**, since the report would not influence the Governor's budget before it is finalized.

  - **Legislators still receive critical cybersecurity funding data**, allowing them to make informed decisions about state and local cybersecurity preparedness.

Amendment Benefits

1. **Ensuring Transparency in Cybersecurity Spending**

   o Cybersecurity is a **critical priority** for the state, and the General Assembly needs **ongoing visibility** into how cybersecurity funding compares to overall IT spending.

   o Maintaining this report **with a post-budget release deadline** allows for informed policy discussions **without interfering with executive budget decisions**.

2. **Supporting Data-Driven Cybersecurity Investments**

   o Legislators and stakeholders must understand whether **current funding levels are adequate** to address growing cyber threats.

   o Recommendations for **budgetary adjustments** remain valuable for shaping future investments **even if they follow the budget release**.

3. **Balancing Executive and Legislative Roles**

   o This amendment respects the Governor's **constitutional authority over the budget** while ensuring that policymakers **retain access to essential cybersecurity funding insights**.

   o Other **state reporting requirements** often adjust their timing to align with budget releases—this would be a **practical and precedent-aligned adjustment**.

By incorporating this amendment, **HB 235 will achieve its goal of clarifying cybersecurity governance while preserving critical legislative oversight of cybersecurity expenditures**.

Thank you for your time and consideration. I urge a **favorable report on HB 235 with this amendment**.

Sincerely,
Tasha Cornish
Executive Director
Cybersecurity Association, Inc.