HB1346/893127/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1346
(First Reading File Bill)

AMENDMENT NO. 1
        On page 1, in the sponsor line, strike "**and Kelly**" and substitute "**Kelly, Bagnall, Bhandari, Carr, Chisholm, Cullison, Hill, Johnson, Kaiser, Kipke, Landis, R. Lewis, Morgan, Pena–Melnyk, Pendergrass, Reilly, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young**"; strike beginning with "establishing" in line 3 down through "municipalities;" in line 12; and strike beginning with "centralizing" in line 15 down through "DoIT;" in line 16 and substitute "establishing the Cybersecurity Coordination and Operations Unit in DoIT; requiring the Secretary of Information Technology to appoint an Executive Director as head of the Cybersecurity Coordination and Operations Unit; requiring the Office of Security Management to provide staff for the Cybersecurity Coordination and Operations Unit; requiring the Cybersecurity Coordination and Operations Unit to establish regional assistance groups to deliver or coordinate support services to political subdivisions, agencies, or regions in accordance with certain requirements; requiring the Cybersecurity Coordination and Operations Unit to offer certain training opportunities for counties and municipalities;"; strike beginning with "requiring" in line 19 down through "year;" in line 22; in line 24, after "circumstances;" insert "requiring the Maryland Joint Operations Center to notify certain agencies of a cybersecurity incident reported in a certain manner;"; and in lines 25 and 26, strike "exempting meetings of the Council from the Open Meetings Act;".

        On pages 1 and 2, strike beginning with "transferring" in line 30 on page 1 down through "DoIT;" in line 1 on page 2.

        On page 2, strike in their entirety lines 36 through 40, inclusive.

        On page 3, in line 9, strike "3.5–2A–07" and substitute "3.5–2A–08"; in line 10, strike "12–107(b)(2)(i)12." and substitute "3.5–406"; in line 15, strike "3.5–302(c)" and substitute "3.5–302"; in the same line, strike "3.5–305,"; in the same line, strike "through 3.5–314," and substitute ", 3.5–309(c), (i), and (l), 3.5–311(a)(2)(i), and"; in lines 15 and 16, strike ", and 3.5–404"; and strike in their entirety lines 20 through 30, inclusive.

AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 21 on page 6 through line 26 on page 8, inclusive.

On page 9, after line 9, insert:

"**(D)** **"REGION" MEANS A COLLECTION OF POLITICAL SUBDIVISIONS.**

(E) **"UNIT" MEANS THE CYBERSECURITY COORDINATION AND OPERATIONS UNIT.**";

after line 21, insert:

"**(C)** **AN INDIVIDUAL APPOINTED AS THE STATE CHIEF INFORMATION SECURITY OFFICER UNDER SUBSECTION (B) OF THIS SECTION SHALL:**

(1) **AT A MINIMUM, HOLD A BACHELOR'S DEGREE;**

(2) **HOLD APPROPRIATE INFORMATION TECHNOLOGY OR CYBERSECURITY CERTIFICATIONS;**

(3) **HAVE EXPERIENCE:**

(I) **IDENTIFYING, IMPLEMENTING, AND ASSESSING SECURITY CONTROLS;**

(II) **IN INFRASTRUCTURE, SYSTEMS ENGINEERING, AND CYBERSECURITY;**

(III) **MANAGING HIGHLY TECHNICAL SECURITY, SECURITY OPERATIONS CENTERS, AND INCIDENT RESPONSE TEAMS IN A COMPLEX CLOUD ENVIRONMENT AND SUPPORTING MULTIPLE SITES; AND**

(IV) **WORKING WITH COMMON INFORMATION SECURITY MANAGEMENT FRAMEWORKS;**

(4) **HAVE EXTENSIVE KNOWLEDGE OF INFORMATION TECHNOLOGY AND CYBERSECURITY FIELD CONCEPTS, BEST PRACTICES, AND PROCEDURES, WITH AN UNDERSTANDING OF EXISTING ENTERPRISE**

CAPABILITIES AND LIMITATIONS TO ENSURE THE SECURE INTEGRATION AND OPERATION OF SECURITY NETWORKS AND SYSTEMS; AND

   (5) HAVE KNOWLEDGE OF CURRENT SECURITY REGULATIONS AND LEGISLATIVE CONTENT.";

and in lines 22 and 25, strike "**(C)**" and "**(D)**", respectively, and substitute "**(D)**" and "**(E)**", respectively.

  On page 10, in lines 9 and 11, strike "**(E)**" and "**(F)**", respectively, and substitute "**(F)**" and "**(G)**", respectively; in line 14, after "**(A)**" insert "**(1)**"; in lines 15 and 18, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in line 17, strike "**AND**"; in line 22, strike the period and substitute "**; AND**

   (III) SUPPORTING THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT CYBER PREPAREDNESS UNIT DURING EMERGENCY RESPONSE EFFORTS.

   (2) THE OFFICE IS NOT RESPONSIBLE FOR THE INFORMATION TECHNOLOGY INSTALLATION AND MAINTENANCE OPERATIONS NORMALLY CONDUCTED BY A UNIT OF STATE GOVERNMENT, A UNIT OF LOCAL GOVERNMENT, A LOCAL SCHOOL BOARD, A LOCAL SCHOOL SYSTEM, OR A LOCAL HEALTH DEPARTMENT.".

  On page 11, in line 28, strike "**REVIEW AND CERTIFY**" and substitute "**SUPPORT LOCAL GOVERNMENTS DEVELOPING**".

  On page 12, in line 24, after the second comma insert "**THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE,**"; and in line 25, after the comma insert "**THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE,**".

  On page 13, in line 26, after "**(B)**" insert "**(1)**".

  On pages 13 and 14, strike in their entirety the lines beginning with line 27 on page 13 through line 8 on page 14, inclusive, and substitute:

            (Over)

"**(I)** THE SECRETARY OF EACH OF THE PRINCIPAL
DEPARTMENTS LISTED IN § 8–201 OF THE STATE GOVERNMENT ARTICLE, OR A
SECRETARY'S DESIGNEE;".

On page 14, in lines 9, 10, 14, 16, 18, 20, 22, and 24, strike "**(8)**", "**(9)**", "**(11)**",
"**(12)**", "**(13)**", "**(14)**", "**(15)**", and "**(16)**", respectively, and substitute "**(II)**", "**(III)**",
"**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", "**(VIII)**", and "**(IX)**", respectively; strike in their entirety
lines 12 and 13; after line 25, insert:

"**(2)** IF A DESIGNEE SERVES ON THE COUNCIL IN PLACE OF AN
OFFICIAL LISTED IN PARAGRAPH **(1)** OF THIS SUBSECTION, THE DESIGNEE SHALL
REPORT INFORMATION FROM THE COUNCIL MEETINGS AND OTHER
COMMUNICATIONS TO THE OFFICIAL.";

and in line 28, strike "**(1)**".

On page 15, strike lines 1 and 2 in their entirety; in line 16, strike "**MAY**" and
substitute "**SHALL**"; and in line 31, after "**GOVERNMENT**" insert "**, INCLUDING THE
MARYLAND TECHNOLOGY INTERNSHIP PROGRAM ESTABLISHED UNDER TITLE
18, SUBTITLE 30 OF THE EDUCATION ARTICLE**".

On page 16, after line 2, insert:

"**3.5–2A–08.**

(A) THERE IS A CYBERSECURITY COORDINATION AND OPERATIONS
UNIT WITHIN THE DEPARTMENT.

(B) THE PURPOSE OF THE UNIT IS TO:

(1) IMPROVE LOCAL, REGIONAL, AND STATEWIDE CYBERSECURITY
READINESS AND RESPONSE;

(2) ASSIST POLITICAL SUBDIVISIONS, SCHOOL BOARDS, AND
AGENCIES IN THE DEVELOPMENT OF CYBERSECURITY DISRUPTION PLANS;

(3) IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT, COORDINATE WITH POLITICAL SUBDIVISIONS, LOCAL AGENCIES, AND STATE AGENCIES ON THE IMPLEMENTATION OF CYBERSECURITY BEST PRACTICES;

(4) COORDINATE WITH POLITICAL SUBDIVISIONS AND AGENCIES ON THE IMPLEMENTATION OF THE STATEWIDE MASTER PLAN DEVELOPED BY THE DEPARTMENT UNDER SUBTITLE 3 OF THIS TITLE; AND

(5) CONSULT WITH THE STATE CHIEF INFORMATION SECURITY OFFICER AND THE SECRETARY TO CONNECT POLITICAL SUBDIVISIONS AND AGENCIES TO THE APPROPRIATE RESOURCES FOR ANY OTHER PURPOSE RELATED TO CYBERSECURITY READINESS AND RESPONSE.

(C) (1) THE HEAD OF THE UNIT IS THE EXECUTIVE DIRECTOR, WHO SHALL BE APPOINTED BY THE SECRETARY.

(2) THE OFFICE SHALL PROVIDE STAFF FOR THE UNIT.

(D) (1) THE UNIT SHALL ESTABLISH REGIONAL ASSISTANCE GROUPS TO DELIVER OR COORDINATE SUPPORT SERVICES TO POLITICAL SUBDIVISIONS, AGENCIES, OR REGIONS.

(2) THE UNIT MAY HIRE OR PROCURE REGIONAL COORDINATORS TO DELIVER OR COORDINATE THE SERVICES UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) THE UNIT SHALL PROVIDE OR COORDINATE SUPPORT SERVICES UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT INCLUDE:

(I) CONNECTING MULTIPLE POLITICAL SUBDIVISIONS AND AGENCIES WITH EACH OTHER TO SHARE BEST PRACTICES OR OTHER INFORMATION TO INCREASE READINESS OR RESPONSE EFFECTIVENESS;

(II) PROVIDING TECHNICAL SERVICES FOR THE IMPLEMENTATION OF CYBERSECURITY BEST PRACTICES IN ACCORDANCE WITH SUBSECTION (C)(3) OF THIS SECTION;

(III) COMPLETING CYBERSECURITY RISK ASSESSMENTS;

(IV) DEVELOPING CYBER SCORECARDS AND REPORTS ON REGIONAL READINESS;

(V) CREATING AND UPDATING CYBERSECURITY DISRUPTION PLANS IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION; AND

(VI) CONDUCTING REGIONAL EXERCISES IN COORDINATION WITH THE NATIONAL GUARD, THE DEPARTMENT, THE MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT, LOCAL EMERGENCY MANAGERS, AND OTHER STATE AND LOCAL ENTITIES.

(E) (1) THE UNIT SHALL PROVIDE REGULAR TRAINING OPPORTUNITIES FOR COUNTIES AND MUNICIPAL CORPORATIONS IN THE STATE.

(2) TRAINING OPPORTUNITIES OFFERED BY THE UNIT SHALL:

(I) BE DESIGNED TO ENSURE STAFF FOR COUNTIES AND MUNICIPAL CORPORATIONS ARE CAPABLE OF COOPERATING EFFECTIVELY WITH THE DEPARTMENT IN THE EVENT OF A CYBERSECURITY EMERGENCY; AND

(II) INCORPORATE BEST PRACTICES AND GUIDELINES FOR STATE AND LOCAL GOVERNMENTS PROVIDED BY THE MULTI–STATE INFORMATION SHARING AND ANALYSIS CENTER AND THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(F) ON OR BEFORE DECEMBER 1 EACH YEAR, THE UNIT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE ACTIVITIES OF THE UNIT.";

after line 9, insert:

"(a)   This subtitle does not apply to changes relating to or the purchase, lease, or rental of information technology by:

(1)   public institutions of higher education solely for academic or research purposes;

(2)   the Maryland Port Administration;

(3)   the University System of Maryland;

(4)   St. Mary's College of Maryland;

(5)   Morgan State University;

(6)   the Maryland Stadium Authority; **[**or**]**

(7)   Baltimore City Community College**;**

(8)   THE STATE BOARD OF ELECTIONS;

(9)   THE OFFICE OF THE ATTORNEY GENERAL;

(10)   THE COMPTROLLER;

(11)   THE STATE TREASURER;

(12)   THE LEGISLATIVE BRANCH OF STATE GOVERNMENT; OR

(13)   THE JUDICIAL BRANCH OF STATE GOVERNMENT.

(b)   Except as provided in subsection (a) of this section, this subtitle applies to any project of a unit of the Executive Branch of State government that involves an agreement with a public institution of higher education for a portion of the development of the project, whether the work on the development is done directly or indirectly by the public institution of higher education.";

and in line 27, after "technology" insert "**POLICY**".

On page 17, in line 8, strike "and"; and in line 10, after the semicolon insert "**AND**

(VI) ALLOWS A STATE AGENCY TO MAINTAIN THE AGENCY'S OWN INFORMATION TECHNOLOGY UNIT THAT PROVIDES FOR INFORMATION TECHNOLOGY SERVICES, INCLUDING THE PROCUREMENT OF INFORMATION TECHNOLOGY EQUIPMENT AND SERVICES, TO SUPPORT THE MISSION OF THE AGENCY.".

On page 18, in line 21, strike "**3.5–310**" and substitute "**3.5–311**"; and in line 22, strike "**3.5–310(A)(2)(III)1**" and substitute "**3.5–311(A)(2)(III)1**".

On page 19, strike in their entirety lines 8 through 30, inclusive; in line 31, strike the brackets; and in the same line, strike "**3.5–306.**".

On page 20, in line 1, strike the brackets; in the same line, strike "**THE DEPARTMENT**"; in line 2, strike "**ON BEHALF OF A UNIT OF STATE GOVERNMENT**"; in line 3, after "plan" insert "**AND THE CYBERSECURITY MASTER PLAN**"; in line 5, strike the brackets; in the same line, strike "**SHALL SUBMIT REQUESTS FOR**"; in line 6, after "projects" insert "**OR CYBERSECURITY PROJECTS**"; in the same line, strike "**3.5–307**" and substitute "**3.5–308**"; in line 8, after "project" insert "**OR CYBERSECURITY PROJECT**"; in line 9, after "master plan" insert "**AND THE CYBERSECURITY MASTER PLAN**"; and strike lines 10 and 11 in their entirety.

On pages 20 through 22, strike in their entirety the lines beginning with line 34 on page 20 through line 17 on page 22, inclusive.

On page 22, in line 18, strike the brackets; in the same line, strike "**3.5–308.**"; strike in their entirety lines 19 through 21, inclusive; and in line 25, strike "**3.5–306**" and substitute "**3.5–307**".

On pages 23 and 24, strike in their entirety the lines beginning with line 1 on page 23 through line 22 on page 24, inclusive.

On pages 24 and 25, strike in their entirety the lines beginning with line 29 on page 24 through line 8 on page 25, inclusive.

On pages 25 and 26, strike in their entirety the lines beginning with line 20 on page 25 through line 24 on page 26, inclusive.

On page 26, in line 25, strike the brackets; and in the same line, strike "**3.5– 310.**".

On page 26, in line 26, strike "(1)   The Secretary or the Secretary's designee, in consultation with other"; and strike beginning with line 27 on page 26 through line 6 on page 27, inclusive.

On pages 27 and 28, strike in their entirety the lines beginning with line 13 on page 27 through line 6 on page 28, inclusive.

On pages 28 and 29, strike in their entirety the lines beginning with line 7 on page 28 through line 23 on page 29, inclusive.

On page 30, in line 2, strike "**COORDINATE**" and substitute "**ASSIST WITH**"; in line 3, strike "**PROCURED**"; in line 13, after "**AND**" insert "**, ON REQUEST BY A UNIT,**"; and in line 14, strike "**UNITS**" and substitute "**A UNIT**".

On pages 31 and 32, strike in their entirety the lines beginning with line 3 on page 31 through line 2 on page 32, inclusive.

On page 32, in line 6, strike "**COMPLETE A CYBERSECURITY PREPAREDNESS ASSESSMENT AND**"; and in line 7, after "**RESULTS**" insert "**OF ANY CYBERSECURITY PREPAREDNESS ASSESSMENTS PERFORMED IN THE PRIOR YEAR**".

On page 34, before line 1, insert "**3.5–406.**"; in lines 1, 3, 5, 9, 13, 14, 16, 18, 20, 22, 26, 29, and 31, strike "**(C)   (1)**", "**(2)**", "**(I)**", "**(II)**", "**(III)**", "**1.**", "**2.**", "**3.**", "**4.**", "**(3)   (I)**", "**(II)**", "**1.**", and "**2.**", respectively, and substitute "**(A)**", "**(B)**", "**(1)**", "**(2)**", "**(3)**", "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(D)   (1)**", "**(2)**", "**(I)**", and "**(II)**", respectively; after line 21, insert:

"**(C)** THE ASSESSMENT REQUIRED UNDER PARAGRAPH (B)(2) OF THIS SECTION MAY, IN ACCORDANCE WITH THE PREFERENCE OF EACH COUNTY GOVERNMENT, BE PERFORMED BY THE DEPARTMENT OR BY A VENDOR AUTHORIZED BY THE DEPARTMENT.";

in line 22, strike "**COUNTY**" and substitute "**LOCAL**"; strike beginning with the first comma in line 22 down through "**DEPARTMENT**" in line 23; in line 23, after "**INCIDENT**" insert "**, INCLUDING AN ATTACK ON A STATE SYSTEM BEING USED BY THE LOCAL GOVERNMENT, TO THE APPROPRIATE LOCAL EMERGENCY MANAGER, THE SECURITY OPERATIONS CENTER, AND TO THE MARYLAND JOINT OPERATIONS CENTER IN THE DEPARTMENT OF EMERGENCY MANAGEMENT**"; in line 24, strike "**SUBPARAGRAPH (II)**" and substitute "**PARAGRAPH (2)**"; in the same line, strike "**PARAGRAPH**" and substitute "**SUBSECTION**"; and in lines 24 and 25, strike "**TO THE APPROPRIATE LOCAL EMERGENCY MANAGER**".

On page 35, in line 1, strike "**3.**" and substitute "**(III)**"; after line 2, insert:

"**(3)** THE MARYLAND JOINT OPERATIONS CENTER SHALL IMMEDIATELY NOTIFY THE APPROPRIATE AGENCIES OF A CYBERSECURITY INCIDENT REPORTED UNDER THIS PARAGRAPH THROUGH THE STATE SECURITY OPERATIONS CENTER.";

and strike in their entirety lines 3 through 13, inclusive.

On pages 35 and 36, strike in their entirety the lines beginning with line 24 on page 35 through line 19 on page 36, inclusive.

On page 36, in line 20, strike "8." and substitute "4.".