

SENATE BILL 247

P2

(PRE-FILED)

4lr0139
CF 4lr0140

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Information Technology)**

Requested: September 13, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Information Technology – Modernize Maryland Oversight Commission –**
3 **Membership, Responsibilities, and Staffing**

4 FOR the purpose of altering the membership and responsibilities of the Modernize
5 Maryland Oversight Commission; requiring the Department of Information
6 Technology to provide staff for the Commission; and generally relating to the
7 Modernize Maryland Oversight Commission.

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 3.5–316
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2023 Supplement)

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

15 **Article – State Finance and Procurement**

16 3.5–316.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Commission” means the Modernize Maryland Oversight Commission.

19 (3) “Critical system” means an information technology or cybersecurity
20 system that is severely outdated, as determined by the Department.

21 (b) There is an independent Modernize Maryland Oversight Commission.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The purpose of the Commission is to **ADVISE THE SECRETARY ON:**

2 [(1) ensure the confidentiality, integrity, and availability of information
3 held by the State concerning State residents; and

4 (2) advise the Secretary and State Chief Information Security Officer on:]

5 [(i)] (1) [the appropriate] **STRATEGIC** information technology and
6 cybersecurity investments and upgrades **BASED ON INDUSTRY BEST PRACTICES;**

7 [(ii)] (2) the funding sources for [the appropriate] **STRATEGIC**
8 information technology and cybersecurity upgrades **BASED ON INDUSTRY BEST**
9 **PRACTICES;** and

10 [(iii)] (3) future mechanisms for the procurement of appropriate
11 information technology and cybersecurity upgrades, including ways to increase the
12 efficiency of procurements made for information technology and cybersecurity upgrades.

13 (d) The Commission consists of the following members:

14 (1) [the Secretary;

15 (2) the State Chief Information Security Officer;

16 (3) three chief information security officers representing different units of
17 State government, appointed by the Governor;

18 (4)] one information technology modernization expert with experience in
19 the private sector, appointed by the Governor;

20 [(5)] (2) [one representative] **TWO REPRESENTATIVES** from the
21 Maryland Chamber of Commerce, **ONE** with knowledge of cybersecurity issues **AND ONE**
22 **WITH KNOWLEDGE OF INFORMATION TECHNOLOGY;**

23 [(6)] (3) two individuals who are end users of State information
24 technology systems **WHO ARE NOT STATE EMPLOYEES**, appointed by the Governor;

25 [(7)] (4) one representative from the Cybersecurity Association of
26 Maryland; [and]

27 [(8)] (5) one individual who is either an instructor or a professional in the
28 academic field of cybersecurity at a college or university in the State, appointed by the
29 Governor;

1 **(6) ONE INDIVIDUAL WHO IS EITHER AN INSTRUCTOR OR A**
2 **PROFESSIONAL IN THE ACADEMIC FIELD OF INFORMATION TECHNOLOGY AT A**
3 **COLLEGE OR UNIVERSITY IN THE STATE, APPOINTED BY THE GOVERNOR; AND**

4 **(7) THE COCHAIRS OF THE JOINT COMMITTEE ON CYBERSECURITY,**
5 **INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY.**

6 [(e) The cochairs of the Joint Committee on Cybersecurity, Information
7 Technology, and Biotechnology shall serve as advisory, nonvoting members of the
8 Commission.]

9 **(E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE COMMISSION.**

10 (f) The Commission shall:

11 (1) advise the Secretary on [a strategic roadmap with a timeline and
12 budget that will:] **INFORMATION TECHNOLOGY AND CYBERSECURITY INDUSTRY BEST**
13 **PRACTICES;**

14 [(i) require the updates and investments of critical information
15 technology and cybersecurity systems identified by the Commission in the first
16 recommendations reported under paragraph (2) of this subsection to be completed on or
17 before December 31, 2025; and

18 (ii) require all updates and investments of information technology
19 and cybersecurity to be made on or before December 31, 2030;]

20 (2) make periodic recommendations on investments in State information
21 technology structures based on the assessments completed in accordance with the
22 framework developed in § 3.5–317 of this subtitle; **AND**

23 [(3) review and provide recommendations on the Department’s basic
24 security standards for use of the network established under § 3.5–404(b) of this title; and]

25 [(4) **(3)** each year, in accordance with § 2–1257 of the State Government
26 Article, report its findings and recommendations to the **SECRETARY**, Senate Budget and
27 Taxation Committee, the Senate [Education, Health, and Environmental Affairs
28 Committee] **COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT**, the
29 House Appropriations Committee, the House Health and Government Operations
30 Committee, and the Joint Committee on Cybersecurity, Information Technology, and
31 Biotechnology.

32 (g) The report submitted under subsection [(f)(4)] **(F)(3)** of this section may not
33 contain information about the security of an information system.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.