
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1362 Session of
2021

INTRODUCED BY KENYATTA, LEWIS, SANCHEZ, MERSKI, PARKER, SOLOMON,
A. DAVIS, SCHLOSSBERG, GALLOWAY, WEBSTER, PISCIOTTANO,
SAMUELSON, FITZGERALD, D. WILLIAMS, MADDEN, HOWARD AND
BURGOS, MAY 7, 2021

REFERRED TO COMMITTEE ON COMMERCE, MAY 7, 2021

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in organization of departmental administrative
22 boards and commissions and of advisory boards and
23 commissions, providing for Cybersecurity Coordination Board.

24 The General Assembly of the Commonwealth of Pennsylvania

25 hereby enacts as follows:

26 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
27 as The Administrative Code of 1929, is amended by adding a

1 section to read:

2 Section 480. Cybersecurity Coordination Board.--(a) There
3 is hereby established the Cybersecurity Coordination Board
4 within the Office of Administration. The Cybersecurity
5 Coordination Board shall collect, study and share information
6 about data privacy, cybersecurity issues and initiatives and
7 provide advice to the Governor with respect to developing
8 uniform cybersecurity techniques, standards, policies,
9 procedures and best practices. The Cybersecurity Coordination
10 Board shall coordinate efforts with Federal, State and local
11 government agencies, academic institutions and the private
12 sector to promote effective cybersecurity measures for the
13 benefit of the residents, businesses, government entities and
14 other entities within this Commonwealth.

15 (b) The Cybersecurity Coordination Board shall consist of
16 the following members:

17 (1) One member of the Senate to be appointed by the
18 President pro tempore.

19 (2) One member of the Senate to be appointed by the Minority
20 Leader of the Senate.

21 (3) One member of the House of Representatives to be
22 appointed by the Speaker of the House of Representatives.

23 (4) One member of the House of Representatives to be
24 appointed by the Minority Leader of the House of
25 Representatives.

26 (5) The Secretary of Community and Economic Development or a
27 cybersecurity subject matter expert designated by the secretary.

28 (6) The Secretary of Labor and Industry or a cybersecurity
29 subject matter expert designated by the secretary.

30 (7) The Director of the Pennsylvania Emergency Management

1 Agency or a cybersecurity subject matter expert designated by
2 the director.

3 (8) The Secretary of Banking and Securities or a
4 cybersecurity subject matter expert designated by the secretary.

5 (9) The Commonwealth's Chief Information Security Officer
6 under the Office of Administration.

7 (10) The Commonwealth's Chief Privacy Officer.

8 (11) The Secretary of Corrections or a cybersecurity subject
9 matter expert designated by the secretary.

10 (12) The Secretary of Transportation or a cybersecurity
11 subject matter expert designated by the secretary.

12 (13) The Secretary of Revenue or a cybersecurity subject
13 matter expert designated by the secretary.

14 (14) The Secretary of Administration or a cybersecurity
15 subject matter expert designated by the secretary.

16 (15) The Secretary of Human Services or a cybersecurity
17 subject matter expert designated by the secretary.

18 (16) The Secretary of Education or a cybersecurity subject
19 matter expert designated by the secretary.

20 (17) The Secretary of State or a cybersecurity subject
21 matter expert designated by the secretary.

22 (18) The Secretary of Health or a cybersecurity subject
23 matter expert designated by the secretary.

24 (19) The Commissioner of the Pennsylvania State Police or a
25 cybersecurity subject matter expert designated by the
26 commissioner.

27 (20) The Attorney General or a cybersecurity subject matter
28 expert designated by the Attorney General.

29 (21) The Adjutant General of the Department of Military and
30 Veterans Affairs or a cybersecurity subject matter expert

1 designated by the Adjutant General.

2 (22) The Director of the Governor's Office of Homeland
3 Security or cybersecurity subject matter expert designated by
4 the director.

5 (23) The Executive Director of the County Commissioners
6 Association of Pennsylvania or a cybersecurity subject matter
7 expert designated by the executive director.

8 (24) The Executive Director for the Pennsylvania Municipal
9 League or a cybersecurity subject matter expert designated by
10 the executive director.

11 (25) The Executive Director for the Pennsylvania State
12 Association of Township Supervisors or a cybersecurity subject
13 matter expert designated by the executive director.

14 (26) The Executive Director for the Pennsylvania State
15 Association of Boroughs or a cybersecurity subject matter expert
16 designated by the executive director.

17 (27) The Executive Director for the Pennsylvania State
18 Association of Township Commissioners or a cybersecurity subject
19 matter expert designated by the executive director.

20 (28) The President of the Pennsylvania Association of
21 Intermediate Units or a cybersecurity subject matter expert
22 designated by the president.

23 (29) The Chancellor of the State System of Higher Education
24 or a cybersecurity subject matter expert designated by the
25 chancellor.

26 (c) The Cybersecurity Coordination Board shall also include
27 three cybersecurity subject matter experts from private sector
28 industries that shall be nominated by the Cybersecurity
29 Coordinator and appointed by and serve at the pleasure of the
30 Governor.

1 (d) The Governor shall invite the following representatives
2 of Federal agencies to serve as advisory members to the
3 Cybersecurity Coordination Board:

4 (1) The United States Secretary of Defense or the
5 secretary's designee.

6 (2) The United States Secretary of Homeland Security or the
7 secretary's designee.

8 (3) The Director of the National Institute of Standards and
9 Technology or a designee.

10 (4) The Director of the Defense Information Systems Agency
11 or the director's designee.

12 (5) The Director of the Intelligence Advanced Research
13 Projects Activity or the director's designee.

14 (6) The Director of the Federal Bureau of Investigation or
15 the director's designee.

16 (e) The Office of Administration shall acquire staff, office
17 space, office equipment and supplies and obtain the services of
18 cybersecurity subject matter experts to assist the Cybersecurity
19 Coordination Board in fulfilling its duties under this section.

20 (f) The Chief Information Security Officer of the Office of
21 Administration shall serve as Cybersecurity Coordinator to the
22 Cybersecurity Coordination Board. The Cybersecurity Coordinator
23 shall serve as the director and secretary of the Cybersecurity
24 Coordination Board and shall be responsible for carrying out the
25 duties of the Cybersecurity Coordination Board. The
26 Cybersecurity Coordinator shall make the final determination as
27 to any action or inaction the Cybersecurity Coordination Board
28 shall take, including any advice or information to be given to
29 the Governor. The Cybersecurity Coordinator shall rely on
30 support from the Office of Administration's designated staff and

1 the Office of Administration's Office of Chief Counsel in the
2 furtherance of the Cybersecurity Coordination Board fulfilling
3 its duties under this section.

4 (g) (1) The Cybersecurity Coordination Board shall meet no
5 less than four times a year to review and assess cybersecurity
6 and privacy topics, including risks, protective measures, laws,
7 regulations, governances, technologies, standards and best
8 practices that affect the Federal, State, county and local
9 governments, international government, businesses and other
10 entities. Additional meetings shall be at the discretion of the
11 Cybersecurity Coordinator.

12 (2) The Cybersecurity Coordination Board may establish
13 committees, as needed, to formulate recommended positions or
14 actions.

15 (3) The Cybersecurity Coordination Board shall provide the
16 Governor an annual report summarizing the Cybersecurity
17 Coordination Board's findings and assessments. The report shall
18 include an overview of the privacy and cybersecurity landscape,
19 changes since the prior report, issues and risks affecting the
20 protection of information, recommendations to resolve and
21 mitigate the issues and risks and any other relevant information
22 deemed appropriate by the Cybersecurity Coordination Board with
23 respect to privacy and cybersecurity. The report shall be
24 confidential and exempt from disclosure as provided under
25 paragraph (4).

26 (4) Deliberations, documentation, records and all work of
27 the Cybersecurity Coordination Board and its committees,
28 including any actions or reports of the Cybersecurity
29 Coordination Board, shall be confidential and shall be exempt
30 from the requirements of the following:

1 (i) 65 Pa.C.S. Ch. 7 (relating to open meetings).

2 (ii) The act of February 14, 2008 (P.L.6, No.3), known as
3 the "Right-to-Know Law."

4 (h) Members shall serve without compensation except for
5 payment of necessary and actual expenses incurred in attending
6 meetings and in performing their duties and responsibilities as
7 members.

8 (i) Cybersecurity Coordination Board or committee members,
9 including advisory members, shall not use their position to sell
10 products or services to the Commonwealth or benefit financially
11 or enable their immediate family members or employers to benefit
12 financially, whether directly or indirectly, from Commonwealth
13 initiatives that result from recommendations or advice provided
14 by the Cybersecurity Coordination Board under this section.

15 Section 2. This act shall take effect in 60 days.