

SENATE BILL 873

P1, L6, P4

11r2196
CF HB 1129

By: **Senator Jackson (By Request – Joint Cybersecurity, Information Technology, and Biotechnology Committee)**

Introduced and read first time: February 9, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Information Technology – State and Local Government**
3 **Employees and Contractors – Cybersecurity Training**

4 FOR the purpose of requiring the Department of Information Technology, in coordination
5 with the Maryland Cybersecurity Council, to develop criteria for the certification of
6 certain cybersecurity training programs for a certain purpose, certify at least a
7 certain number of programs, review and update certain certification standards at
8 certain times, and maintain a list of certain programs on its website; requiring the
9 certification criteria for certain programs to include certain requirements;
10 authorizing the Department to contract with a third party to certify certain
11 programs; requiring certain State and local government employees to complete a
12 certain certified program each year; authorizing a unit to specify which certified
13 program its employees are required to complete; specifying that a unit shall select a
14 certain certification program based on certain factors; authorizing a unit to set
15 different cybersecurity training requirements for different employees based on
16 certain factors; requiring a unit to report certain information to the Department each
17 year; requiring the Department to require certain periodic audits; requiring local
18 governments to require certain audits; requiring the Department to approve at least
19 one certified program to be used to train certain contractors; requiring certain
20 contracts to contain a certain clause; requiring certain contractors to complete a
21 certain certified program within a certain period of time; requiring a certain
22 contractor to verify completion of a certain cybersecurity training program to a
23 certain unit; requiring a unit to conduct certain periodic audits for a certain purpose;
24 requiring the Department to adopt certain regulations; defining certain terms; and
25 generally relating to cybersecurity training requirements for State and local
26 government employees and contractors.

27 BY adding to

28 Article – State Finance and Procurement

29 Section 3A–801 through 3A–805 to be under the new subtitle “Subtitle 8.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Cybersecurity Training’
2 Annotated Code of Maryland
3 (2015 Replacement Volume and 2020 Supplement)

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

6 **Article – State Finance and Procurement**

7 **SUBTITLE 8. CYBERSECURITY TRAINING.**

8 **3A-801.**

9 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
10 **INDICATED.**

11 **(B) “CERTIFIED PROGRAM” MEANS A CYBERSECURITY TRAINING PROGRAM**
12 **CERTIFIED BY THE DEPARTMENT UNDER § 3A-802 OF THIS SUBTITLE.**

13 **(C) “CONTRACTOR” INCLUDES A CONTRACTOR, SUBCONTRACTOR, OFFICER**
14 **OF A CONTRACTOR OR SUBCONTRACTOR, OR AN EMPLOYEE OF A SUBCONTRACTOR**
15 **OR CONTRACTOR.**

16 **(D) “LOCAL GOVERNMENT” MEANS:**

17 **(1) A COUNTY;**

18 **(2) A MUNICIPAL CORPORATION; OR**

19 **(3) A UNIT OF A COUNTY OR A MUNICIPAL CORPORATION.**

20 **(E) “UNIT” MEANS AN AGENCY OR A UNIT OF STATE OR LOCAL**
21 **GOVERNMENT.**

22 **3A-802.**

23 **(A) THE DEPARTMENT, IN COORDINATION WITH THE MARYLAND**
24 **CYBERSECURITY COUNCIL, SHALL:**

25 **(1) DEVELOP CRITERIA FOR THE CERTIFICATION OF CYBERSECURITY**
26 **TRAINING PROGRAMS FOR USE BY STATE AND LOCAL GOVERNMENT EMPLOYEES**
27 **REQUIRED TO COMPLETE CYBERSECURITY TRAINING EACH YEAR;**

28 **(2) CERTIFY AT LEAST 20 CYBERSECURITY TRAINING PROGRAMS;**

1 **(3) EACH YEAR REVIEW AND UPDATE CERTIFICATION STANDARDS**
2 **FOR CYBERSECURITY TRAINING PROGRAMS; AND**

3 **(4) MAINTAIN ON ITS WEBSITE A LIST OF ALL CERTIFIED PROGRAMS.**

4 **(B) THE CERTIFICATION CRITERIA SHALL INCLUDE REQUIREMENTS THAT**
5 **EACH CYBERSECURITY TRAINING PROGRAM INCLUDE ACTIVITIES, CASE STUDIES,**
6 **HYPOTHETICAL SITUATIONS, AND OTHER METHODS THAT:**

7 **(1) FOCUS ON FORMING INFORMATION SECURITY HABITS AND**
8 **REASONABLE SECURITY PROCEDURES THAT PROTECT INFORMATION RESOURCES,**
9 **PERSONAL INFORMATION, AND RECORDS; AND**

10 **(2) TEACH BEST PRACTICES FOR DETECTING, ASSESSING,**
11 **REPORTING, AND ADDRESSING INFORMATION SECURITY THREATS.**

12 **(C) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO CERTIFY**
13 **CYBERSECURITY TRAINING PROGRAMS UNDER THIS SECTION.**

14 **3A-803.**

15 **(A) (1) AT LEAST ONCE EACH YEAR, EACH UNIT EMPLOYEE SHALL**
16 **COMPLETE A CERTIFIED PROGRAM IF THAT EMPLOYEE'S JOB-RELATED DUTIES**
17 **INCLUDE ACCESSING GOVERNMENT COMPUTER SYSTEMS OR DATABASES.**

18 **(2) A UNIT MAY SPECIFY WHICH CERTIFIED PROGRAM ITS**
19 **EMPLOYEES ARE REQUIRED TO COMPLETE.**

20 **(3) IF A UNIT REQUIRES EMPLOYEES TO COMPLETE A PARTICULAR**
21 **CERTIFIED PROGRAM OR PROGRAMS, THE UNIT SHALL SELECT ONE OR MORE**
22 **CERTIFIED PROGRAMS BASED ON THE PROGRAMS' RELEVANCE TO THE EMPLOYEE'S**
23 **WORK OR RESPONSIBILITIES.**

24 **(4) A UNIT MAY SET DIFFERENT CYBERSECURITY TRAINING**
25 **REQUIREMENTS FOR DIFFERENT EMPLOYEES BASED ON THEIR POSITIONS OR**
26 **TITLES.**

27 **(B) EACH UNIT SHALL REPORT TO THE DEPARTMENT EACH YEAR:**

28 **(1) THE CERTIFIED PROGRAM OR PROGRAMS THAT WERE SELECTED**
29 **TO BE COMPLETED BY ITS EMPLOYEES; AND**

1 **(2) THE PERCENTAGE OF EMPLOYEES THAT COMPLETED EACH**
2 **CERTIFIED PROGRAM.**

3 **(C) (1) THE DEPARTMENT SHALL REQUIRE PERIODIC AUDITS OF STATE**
4 **UNITS TO ENSURE COMPLIANCE WITH THIS SECTION.**

5 **(2) LOCAL GOVERNMENTS SHALL REQUIRE PERIODIC AUDITS OF**
6 **THEIR UNITS TO ENSURE COMPLIANCE WITH THIS SECTION.**

7 **3A-804.**

8 **(A) (1) THE DEPARTMENT SHALL APPROVE AT LEAST ONE CERTIFIED**
9 **PROGRAM TO BE USED TO TRAIN SAFE CYBERSECURITY PRACTICES TO**
10 **CONTRACTORS THAT HAVE ACCESS TO A UNIT'S COMPUTER SYSTEMS OR**
11 **DATABASES.**

12 **(2) EACH CONTRACT ENTERED INTO BY A UNIT SHALL CONTAIN A**
13 **CLAUSE REQUIRING EACH CONTRACTOR TO COMPLETE A CERTIFIED PROGRAM**
14 **APPROVED FOR CONTRACTORS UNDER THIS SUBSECTION IF, UNDER THE TERMS OF**
15 **THE CONTRACT, THE CONTRACTOR HAS ACCESS TO THE UNIT'S COMPUTER SYSTEMS**
16 **OR DATABASES.**

17 **(B) EACH CONTRACTOR REQUIRED TO COMPLETE A CERTIFIED PROGRAM**
18 **SHALL COMPLETE A CERTIFIED PROGRAM AT LEAST ONCE EACH YEAR DURING THE**
19 **TERM OF THE CONTRACT, INCLUDING ANY CONTRACT RENEWAL PERIOD.**

20 **(C) EACH CONTRACTOR REQUIRED TO COMPLETE A CERTIFIED PROGRAM**
21 **UNDER THIS SECTION SHALL VERIFY COMPLETION OF THE PROGRAM TO THE**
22 **CONTRACTING UNIT.**

23 **(D) EACH UNIT SHALL:**

24 **(1) REPORT EACH YEAR TO THE DEPARTMENT ON WHICH CERTIFIED**
25 **PROGRAM OR PROGRAMS EACH CONTRACTOR COMPLETED; AND**

26 **(2) CONDUCT PERIODIC AUDITS TO ENSURE COMPLIANCE WITH THIS**
27 **SECTION.**

28 **3A-805.**

29 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
30 **SUBTITLE.**

31 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**

1 October 1, 2021.