

SB0800/283427/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 800
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike “and conduct a certain periodic assessment” and substitute “collect certain certifications, and submit a certain report”; in line 12, strike “contract” and substitute “engage”; and strike beginning with “requiring” in line 14 down through “assessments;” in line 15 and substitute “requiring each public service company to report a cybersecurity incident to certain entities; requiring the State Chief Information Security Officer, in consultation with the Commission, to establish a certain reporting process; requiring the State Security Operations Center to immediately notify certain agencies of a cybersecurity incident reported under this Act; providing that, for a certain fiscal year, funds from the Dedicated Purpose Account may be transferred by budget amendment to the Department of Information Technology for a certain purpose;”.

AMENDMENT NO. 2

On page 4, strike beginning with “STUDY” in line 3 down through “(V)” in line 7; in line 9, strike “(VI)” and substitute “(IV) PARTICIPATE IN BRIEFINGS TO DISCUSS CYBERSECURITY PRACTICES BASED ON:

1. APPLICABLE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS GUIDANCE; AND

2. IMPROVEMENTS TO CYBERSECURITY PRACTICES RECOMMENDED IN THE CYBERSECURITY ASSESSMENTS REQUIRED UNDER § 5-306 OF THIS ARTICLE; AND

(V)”;

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in the same line, strike “CONVENE WORKSHOPS WITH” and substitute “SUPPORT”; in line 10, after “STANDARDS” insert “WITH REMEDIATING VULNERABILITIES OR ADDRESSING CYBERSECURITY ASSESSMENT FINDINGS”; in the same line, strike “; AND” and substitute a period; strike in their entirety lines 11 through 15, inclusive; and in line 28, after “(8)” insert “(I)”.

On page 5, in lines 1, 5, and 7, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; in line 6, after the semicolon insert “AND”; in line 7, strike “OCTOBER 1, 2023” and substitute “JANUARY 1, 2025”; in line 8, strike the comma and substitute “:

A.”;

in the same line, strike “EVALUATE” and substitute “COLLECT CERTIFICATIONS OF A PUBLIC SERVICE COMPANY’S COMPLIANCE WITH STANDARDS USED IN”; in the same line, strike “SUBMITTED” and substitute “CONDUCTED”; strike beginning with the comma in line 10 down through “PROTECTIONS” in line 11; in line 12, strike “(IV)” and substitute “B.”; strike beginning with “THE” in line 12 down through “PARAGRAPH” in line 13 and substitute “A REPORT”; strike beginning with “OFFICE” in line 13 down through “MANAGEMENT” in line 15 and substitute “STATE CHIEF INFORMATION SECURITY OFFICER, OR THE OFFICER’S DESIGNEE.”

(II) THE REPORT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE:

1. A GENERAL OVERVIEW OF CYBERSECURITY TECHNOLOGY AND POLICIES USED BY PUBLIC SERVICE COMPANIES IN THE STATE, GROUPED BY THE FOLLOWING TYPES:

A. INVESTOR-OWNED ELECTRIC COMPANIES;

B. ELECTRIC COOPERATIVES;

C. MUNICIPAL ELECTRIC COMPANIES;

D. GAS COMPANIES; AND

E. WATER COMPANIES;

**2. GENERAL RECOMMENDATIONS FOR IMPROVING
CYBERSECURITY TECHNOLOGY AND POLICIES USED BY PUBLIC SERVICE
COMPANIES IN THE STATE, GROUPED BY THE FOLLOWING TYPES:**

A. INVESTOR-OWNED ELECTRIC COMPANIES;

B. ELECTRIC COOPERATIVES;

C. MUNICIPAL ELECTRIC COMPANIES;

D. GAS COMPANIES; AND

E. WATER COMPANIES; AND

3. FOR EACH CERTIFICATION COLLECTED:

A. THE NAME OF THE PUBLIC SERVICE COMPANY;

B. THE DATE OF THE PUBLIC SERVICE COMPANY'S MOST RECENT CYBERSECURITY ASSESSMENT;

C. THE CYBERSECURITY FRAMEWORK USED IN THE CYBERSECURITY ASSESSMENT OF THE PUBLIC SERVICE COMPANY; AND

D. THE NAME OF THE ENTITY THAT COMPLETED THE CYBERSECURITY ASSESSMENT".

On page 7, in line 17, strike "BEGINNING IN 2024" and substitute "ON OR BEFORE JULY 1, 2024,"; in the same line, strike "AT LEAST ONCE" and substitute "ON OR BEFORE JULY 1"; in line 18, strike "CONTRACT WITH" and substitute "ENGAGE"; in line 20, after "ON" insert ":

1. THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY'S CROSS-SECTOR CYBERSECURITY PERFORMANCE GOALS; OR

2. A MORE STRINGENT STANDARD THAT IS BASED ON";

strike beginning with the colon in line 22 down through "2." in line 25; after line 27, insert:

"(D) (1) EACH PUBLIC SERVICE COMPANY SHALL REPORT, IN ACCORDANCE WITH THE PROCESS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CYBERSECURITY INCIDENT, INCLUDING AN ATTACK ON A SYSTEM BEING USED BY THE PUBLIC SERVICE COMPANY, TO THE STATE SECURITY OPERATIONS CENTER IN THE DEPARTMENT OF INFORMATION TECHNOLOGY.

(2) THE STATE CHIEF INFORMATION SECURITY OFFICER, IN CONSULTATION WITH THE COMMISSION, SHALL ESTABLISH A PROCESS FOR A PUBLIC SERVICE COMPANY TO REPORT CYBERSECURITY INCIDENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING ESTABLISHING:

(I) THE CRITERIA FOR DETERMINING THE CIRCUMSTANCES UNDER WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED;

(II) THE MANNER IN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED; AND

(III) THE TIME PERIOD WITHIN WHICH A CYBERSECURITY INCIDENT MUST BE REPORTED.

(3) THE STATE SECURITY OPERATIONS CENTER SHALL IMMEDIATELY NOTIFY APPROPRIATE STATE AND LOCAL AGENCIES OF A CYBERSECURITY INCIDENT REPORTED UNDER THIS SUBSECTION.”.

On page 8, strike beginning with “, on” in line 5 down through “Act” in line 8 and substitute “for fiscal year 2024, funds from the Dedicated Purpose Account may be transferred by budget amendment, in accordance with § 7–310 of the State Finance and Procurement Article, to the Department of Information Technology for the purpose of adding additional staffing and operational capacity for the Department to improve State and local cybersecurity”; in line 9, after “That” insert “it is the intent of the General Assembly that the Public Service Commission work with the Cybersecurity and Infrastructure Security Agency and the Office of Security Management to improve the Commission’s capacity to implement the provisions of this Act.”

SECTION 4. AND BE IT FURTHER ENACTED, That”;

and in line 10, strike “October” and substitute “July”.