

SB0294/753820/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 294

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Senator Feldman**” and substitute “**Senators Feldman, Attar, Brooks, Hester, Kagan, Simonaire, and Watson**”; in line 2, strike “**Membership** –”; in line 4, after “Council;” insert “requiring the Council, working with certain entities, to assess and address cybersecurity threats and associated risks from artificial intelligence and quantum computing;”; in the same line, after “to” insert “the”; in line 5, strike “membership”; in line 13, strike “and” and substitute a comma; and in the same line, after “(f)” insert “, and (j)”.

AMENDMENT NO. 2

On page 2, in line 19, after “(10)” insert “**THE PEOPLE’S COUNSEL, OR THE DESIGNEE OF THE PEOPLE’S COUNSEL;**

(11)”;

in lines 21, 22, 23, and 24, strike “(11)”, “(12)”, “(13)”, and “(14)”, respectively, and substitute “**(12)**”, “**(13)**”, “**(14)**”, and “**(15)**”, respectively; in line 23, strike “and”; strike beginning with the first “the” in line 24 down through “five” in line 26 and substitute “**FOUR**”; and in line 27, after “employees” insert “**, DESIGNATED BY THE CYBERSECURITY ASSOCIATION OF MARYLAND**”.

On page 3, strike in their entirety lines 1 and 2 and substitute:

“(16) THE CHIEF EXECUTIVE OFFICER OF THE MARYLAND CHAMBER OF COMMERCE, OR THE CHIEF EXECUTIVE OFFICER’S DESIGNEE;

(17) THE EXECUTIVE DIRECTOR OF THE CYBERSECURITY ASSOCIATION OF MARYLAND, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;;

in line 3, strike beginning with “(iii)” through “ten” and substitute:

“(18) EIGHT”;

in line 4, after “State” insert **“WITH EXPERTISE IN CYBERSECURITY, WITH AT LEAST FOUR REPRESENTATIVES WITH EXPERTISE IN ARTIFICIAL INTELLIGENCE AND QUANTUM COMPUTING, INCLUDING:**

(I) THE PRESIDENT, OR THE PRESIDENT’S DESIGNEE, OF:

- 1. BOWIE STATE UNIVERSITY;**
- 2. JOHNS HOPKINS UNIVERSITY;**
- 3. MORGAN STATE UNIVERSITY;**
- 4. THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS;**
- 5. THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY; AND**
- 6. THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS; AND**

(II) TWO ADDITIONAL REPRESENTATIVES DESIGNATED BY THE UNIVERSITY SYSTEM OF MARYLAND, WITH DUE CONSIDERATION OF GEOGRAPHIC DIVERSITY”;

strike in their entirety lines 5 through 10, inclusive, and substitute:

“(19) THE DIRECTOR OF CASH CAMPAIGN OF MARYLAND, OR THE DIRECTOR’S DESIGNEE;

(20) THE EXECUTIVE DIRECTOR OF ECONOMIC ACTION MARYLAND, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(21) ONE BANK CHIEF INFORMATION SECURITY OFFICER, DESIGNATED BY THE MARYLAND BANKERS ASSOCIATION;

(22) ONE HOSPITAL CHIEF INFORMATION SECURITY OFFICER, DESIGNATED BY THE MARYLAND HOSPITAL ASSOCIATION;

(23) ONE WATER SYSTEMS CHIEF INFORMATION SECURITY OFFICER WHO WORKS FOR A WATER SYSTEM LOCATED IN THE STATE, DESIGNATED BY THE NATIONAL ASSOCIATION OF WATER COMPANIES;

(24) ONE ELECTRIC COMPANY CHIEF INFORMATION SECURITY OFFICER WHO WORKS IN THE STATE FOR AN ELECTRIC COMPANY SERVING CUSTOMERS IN THE STATE, DESIGNATED BY THE EDISON ELECTRIC INSTITUTE;

(25) THE EXECUTIVE DIRECTOR OF THE ELECTRONIC PRIVACY INFORMATION CENTER, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(Over)

(26) THE EXECUTIVE DIRECTOR OF THE CENTER FOR DEMOCRACY AND TECHNOLOGY, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(27) THE CHIEF EXECUTIVE OFFICER OF THE TECHNOLOGY ADVANCEMENT CENTER, OR THE CHIEF EXECUTIVE OFFICER’S DESIGNEE;

(28) THE DIRECTOR OF THE CENTER FOR GOVERNANCE OF TECHNOLOGY AND SYSTEMS, OR THE DIRECTOR’S DESIGNEE; AND”;

in line 11, strike “(vii)” and substitute “**(29)**”; in lines 11 and 13, in each instance, strike “GOVERNOR” and substitute “**CHAIR**”; in line 19, after “(4)” insert “**THE DIRECTOR OF THE NATIONAL INSTITUTE FOR SCIENCE AND TECHNOLOGY, OR THE DIRECTOR’S DESIGNEE;**

(5)”;

in line 21, strike “(5)” and substitute “**(6)**”; in the same line, strike “Attorney General” and substitute “**CHAIR**”; in line 25, strike “BEGINNING” and substitute:

“(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, BEGINNING”;

in line 26, after “CHAIR” insert “**AND VICE CHAIR**”; after line 26, insert:

“(2) ONE SHALL BE A STATE EMPLOYEE AND ONE SHALL BE A NON-STATE EMPLOYEE.

(j) The Council shall work with the National Institute of Standards and Technology and other federal agencies, private sector businesses, NONPROFITS, and private cybersecurity experts to ASSESS AND ADDRESS CYBERSECURITY THREATS

AND ASSOCIATED RISKS FROM ARTIFICIAL INTELLIGENCE AND QUANTUM COMPUTING TO:

(1) for critical infrastructure [not covered by federal law or the Executive Order], review and conduct risk assessments to determine which local infrastructure sectors are at the greatest risk of cyber attacks and need the most enhanced cybersecurity measures;

(2) use federal guidance to identify categories of critical infrastructure as critical cyber infrastructure if cyber damage or unauthorized cyber access to the infrastructure could reasonably result in catastrophic consequences, including:

(i) interruption in the provision of energy, water, transportation, emergency services, food, or other life-sustaining services sufficient to cause a mass casualty event or mass evacuations;

(ii) catastrophic economic damage; or

(iii) severe degradation of State or national security;

(3) assist infrastructure entities that are not covered by the Executive Order in complying with federal cybersecurity guidance;

(4) assist private sector cybersecurity businesses in adopting, adapting, and implementing the National Institute of Standards and Technology cybersecurity framework of standards and practices;

(5) examine inconsistencies between State and federal laws regarding cybersecurity;

(6) recommend a comprehensive State strategic plan to ensure a coordinated and adaptable response to and recovery from cybersecurity attacks; [and]

(7) ADDRESS SENSITIVE PRIVACY INTERESTS OF STATE RESIDENTS RELATED TO CYBERSECURITY AND ASSOCIATED RISKS;

(8) ADDRESS EMERGING THREATS POSED BY ARTIFICIAL INTELLIGENCE, INCLUDING:

(I) ADVERSARIAL ARTIFICIAL INTELLIGENCE;

(II) CYBER ATTACKS;

(III) DEEPFAKE TECHNOLOGIES;

(IV) UNETHICAL USE; AND

(V) FRAUD; AND

[(7)] (9) recommend any legislative changes considered necessary by the Council to address cybersecurity issues.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Cybersecurity Council reviews and adjusts its subcommittee structure, if necessary, and implements appropriate bylaws of operation consistent with State law by December 1, 2025.”;

and in line 27, strike “2.” and substitute “3.”.