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TO: The Honorable Anne R. Kaiser
Chair, Ways and Means Committee

FROM: Office of the Attorney General

RE: HB 1306 – Maryland Cybersecurity Council–Election Security and High–Speed
Internet Access – **Letter of Information**

The Office of Attorney General provides this Committee with a letter of information on HB 1306. The legislation would repeal and reenact with amendments the enabling legislation of the Maryland Cybersecurity Council. Specifically, the amendments would require the Council to:

- a) Monitor and evaluate the effectiveness of the measures taken to ensure election security in the State, and
- b) Monitor and evaluate the status of high-speed internet access in the State.

House Bill 1306 would expand the Council's responsibilities. Chaired by the Attorney General, the Council's 57 members include representatives of the governor's cabinet, the General Assembly, federal agencies, the State Board of Elections, critical infrastructure providers, academia, the cybersecurity business sector, advocacy groups, and other organizations. It has functioned as a deliberative body leveraging the professional background of its members, the practices of other states, and research to make broad policy recommendations. It has never functioned as a monitoring body.

As a practical matter, this change in role is beyond the Council's current staff capacity. It has one part-time dedicated staff member who supports six subcommittees and the work of the Council as a whole. Monitoring measures taken to ensure election security would require close engagement with state and local election staff, and ongoing visibility into network architecture, security arrangements, contractor relationships, training, and operational practices. Similarly, monitoring the status of high-speed internet access would require active engagement with a

number of stakeholders to compile data and perform assessments. To execute either one of these responsibilities properly would require additional staff.

Finally, it is a question whether the objectives of the amendments are already being addressed or could be better addressed by entities equipped by mission, staffing, and culture to effectively undertake these monitoring roles.

cc: Members of the Ways and Means Committee