HOUSE BILL 1486

C8, S2

4lr3488
CF SB 816

By: **Delegate Forbes**
Introduced and read first time: February 15, 2024
Assigned to: Rules and Executive Nominations
Re–referred to: Health and Government Operations, February 26, 2024

Committee Report: Favorable
House action: Adopted
Read second time: March 5, 2024

CHAPTER _____

1   AN ACT concerning

2   **Economic Development – Cyber Maryland Fund and Program – Alterations**

3   FOR the purpose of requiring the Maryland Technology Development Corporation to
4   administer the Cyber Maryland Fund; altering the uses of the Fund; requiring the
5   Corporation to adopt certain standards; and generally relating to the Cyber
6   Maryland Fund and the Cyber Maryland Program.

7   BY repealing and reenacting, without amendments,
8   Article – Economic Development
9   Section 10–401(a) and (c)
10   Annotated Code of Maryland
11   (2018 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,
13   Article – Economic Development
14   Section 10–491
15   Annotated Code of Maryland
16   (2018 Replacement Volume and 2023 Supplement)

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

19   **Article – Economic Development**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.
    Underlining indicates amendments to bill.
    ~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by
    amendment.

1   10–401.

2   (a)   In this subtitle the following words have the meanings indicated.

3   (c)   "Corporation" means the Maryland Technology Development Corporation.

4   10–491.

5   (a)   (1)   In this section the following words have the meanings indicated.

6   (2)   "Board" means the Cyber Maryland Board.

7   **(3)   "FUND" MEANS THE CYBER MARYLAND FUND.**

8   **[**(3)**] (4)**   "Program" means the Cyber Maryland Program.

9   (b)   There is a Cyber Maryland Program in the Corporation.

10   (c)   The purposes of the Program are to:

11   (1)   create and execute a talent pipeline that materially reduces workforce
12   vacancies by July 1, 2026;

13   (2)   serve as a one–stop shop for employers seeking to leverage cyber
14   workforce development programs offered by the State and its partners;

15   (3)   inform cybersecurity training and education programs operated by
16   public or private entities with industry–driven needs;

17   (4)   build the most advanced local and State information technology
18   workforce in the nation, which, to the maximum extent possible, reflects the racial, gender,
19   ethnic, and geographic diversity of the State;

20   (5)   coordinate and accelerate cybersecurity research and innovation in the
21   State; and

22   (6)   support the efforts of the Department of Information Technology to
23   improve the State government's cybersecurity posture, including State agencies, local
24   government units, and critical infrastructure.

25   (d)   The Program shall:

26   (1)   conduct ongoing research by collaborating with the Cybersecurity
27   Association of Maryland, Inc., Cybersecurity Talent Advisory Board to collect and analyze
28   real–time industry data to identify cybersecurity workforce needs as described in the U.S.
29   Chamber of Commerce Talent Pipeline Management Approach;

1 (2) use the results of the research described in item (1) of this subsection
2 to increase the effectiveness of existing State cybersecurity workforce programs for
3 employers in the State;

4 (3) facilitate partnerships for new training and education programs to
5 address the workforce needs identified under item (1) of this subsection;

6 (4) develop a statewide strategic plan for cybersecurity workforce
7 development, using the results of the research described in item (1) of this subsection and
8 with input from the Cybersecurity Association of Maryland, Inc., Cybersecurity Talent
9 Advisory Board on or before December 1, 2023; **AND**

10 **[**(5) administer and manage the Cyber Maryland Fund; and**]**

11 **[**(6)**] (5)** ensure that outcomes of the Program are inclusive and, to the
12 maximum extent practicable, reflect the racial, gender, ethnic, and geographic diversity of
13 the State.

14 (e) (1) **[**In this subsection, "Fund" means the Cyber Maryland Fund.

15 (2)**]** There is a Cyber Maryland Fund.

16 **[**(3)**] (2)** The purposes of the Fund are to:

17 (i) achieve the purposes identified under subsection (c) of this
18 section; and

19 (ii) support innovative approaches to meeting cybersecurity
20 workforce needs.

21 **[**(4)**] (3)** The **[**Program**] CORPORATION** shall administer the Fund.

22 **[**(5)**] (4)** (i) The Fund is a special, nonlapsing fund that is not subject
23 to § 7–302 of the State Finance and Procurement Article.

24 (ii) The State Treasurer shall hold the Fund separately, and the
25 Comptroller shall account for the Fund.

26 **[**(6)**] (5)** The Fund consists of:

27 (i) money appropriated in the State budget to the Fund; and

28 (ii) any other money from any other source accepted for the benefit
29 of the Fund.

30 **[**(7)**] (6)** The Fund may be used only for:

1   (i)   **[**administering**]** **ADMINISTRATIVE EXPENSES OF** the Program**,**
2 **INCLUDING HIRING STAFF IN ACCORDANCE WITH THE STATE BUDGET AND HIRING**
3 **CONSULTANTS AND OTHER PROFESSIONALS AS NECESSARY TO IMPLEMENT,**
4 **MAINTAIN, AND ADMINISTER THE PROGRAM AND THE FUND**; and

5   (ii)   providing   grants   to   elementary   and   secondary   schools,
6 institutions of higher education, including community colleges, for–profit corporations, and
7 nonprofit organizations to operate cybersecurity programs based on the strategic plan of
8 the Program.

9   **(7)   THE CORPORATION SHALL ADOPT STANDARDS TO AWARD**
10 **GRANTS UNDER THIS SECTION.**

11   (8)   (i)   The State Treasurer shall invest the money of the Fund in the
12 same manner as other State money may be invested.

13   (ii)   Any interest earnings of the Fund shall be credited to the
14 General Fund of the State.

15   (9)   Expenditures from the Fund may be made only in accordance with the
16 State budget.

17   (10)   For fiscal year 2025 and each year thereafter, the Governor may include
18 in the annual budget bill an appropriation of $250,000 for the Fund.

19   (11)   Subject to the availability of funding, for fiscal year 2025 and each year
20 thereafter, $250,000 of the Fund shall be used for implementing the U.S. Chamber of
21 Commerce Talent Pipeline Management Approach.

22   (12)   **[**(i)**]**   The Governor shall include in the annual budget bill an
23 appropriation in an amount sufficient for **[**hiring individuals to conduct the duties of**]** the
24 Program**[**, including an Executive Director and at least one administrator.

25   (ii)   The Executive Director shall:

26   1.   be appointed by the Chief Executive Officer;

27   2.   have relevant qualifications and experience with the
28 activities and purposes of the Program; and

29   3.   serve at the pleasure of the Chief Executive Officer**]**.

30   (f)   (1)   There is a Cyber Maryland Board.

31   (2)   The Board consists of the following members:

1   (i)   the Senate and House of Delegates cochairs of the Joint
2 Committee on Cybersecurity, Information Technology, and Biotechnology;

3   (ii)   the Secretary, or the Secretary's designee;

4   (iii)   the Secretary of Labor, or the Secretary's designee;

5   (iv)   the Maryland Secretary of Veterans Affairs, or the Secretary's
6 designee;

7   (v)   the Secretary of Information Technology, or the Secretary's
8 designee;

9   (vi)   the Chair of the Board of Directors of the Cybersecurity
10 Association of Maryland, Inc., or the Chair's designee;

11   (vii)   the Chair of the Maryland Workforce Association, or the Chair's
12 designee;

13   (viii) the following members, appointed by the Governor:

14   1.   five members from the private sector with cybersecurity
15 needs;

16   2.   one representative from a nonprofit organization with
17 expertise in cybersecurity talent development;

18   3.   one representative from a community college;

19   4.   one representative from a 4–year, public HBCU college;
20 **AND**

21   5.   one representative from a 4–year, public college; and

22   (ix)   the Chief Executive Officer, or the Chief Executive Officer's
23 designee.

24   (3)   (i)   Subject to subparagraph (ii) of this paragraph, the members of
25 the Board shall elect a chair from among the members of the Board.

26   (ii)   The chair may not be:

27   1.   a State employee; or

28   2.   the Chief Executive Officer.

1   (4)   The Board shall:

2   (i)   provide input regarding the development of the statewide
3   cybersecurity workforce development strategic plan required under subsection (d)(4) of this
4   section;

5   (ii)   assist the **[**Executive Director and staff of the**]** Program with
6   stakeholder outreach and engagement;

7   (iii)   help the **[**Executive Director of the**]** Program explore synergies
8   where appropriate with cybersecurity workforce development efforts by regional and
9   county workforce development entities;

10   (iv)   coordinate as necessary with the Maryland Department of Labor
11   and the Department; and

12   (v)   provide other advice and support for the Program.

13   (5)   A member of the Board:

14   (i)   may not receive compensation as a member of the Board; but

15   (ii)   is entitled to reimbursement for expenses under the Standard
16   State Travel Regulations, as provided in the State budget.

17   (6)   The Governor may remove an appointed member of the Board for
18   incompetence, misconduct, or failure to perform the duties of the position.

19   (g)   On or before December 1 each year, beginning in 2026, the Program, in
20   conjunction with the Corporation, shall submit a report on the operation and performance
21   of the Program to the Governor and, in accordance with § 2–1257 of the State Government
22   Article, the General Assembly.

23   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24   1, 2024.