P1 2lr0147 CF 2lr0028

By: The Speaker (By Request - Administration) and Delegates Anderton, Boteler, Buckel, Ghrist, Hartman, Hornberger, Howard, Jacobs, Kipke, Krebs, Long, Mangione, McComas, McKay, Metzgar, Morgan, Munoz, Novotny, Otto, Parrott, Reilly, Saab, Shoemaker, Szeliga, Thiam, and Wivell

Introduced and read first time: January 19, 2022 Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2

State Government - Information Technology - Cybersecurity

3 FOR the purpose of codifying the establishment of the Office of Security Management 4 within the Department of Information Technology, the position of State Chief Information Security Officer, and the Maryland Cybersecurity Coordinating Council; 5 6 altering the membership of the Council; requiring each unit of the Legislative 7 Branch or Judicial Branch of State government that uses a certain network to certify 8 certain compliance to the Department on or before a certain date each year; requiring 9 each agency and unit of the Executive Branch of State government to submit a 10 certain report to the Governor on or before a certain date; and generally relating to 11 information technology.

12 BY renumbering

- 13 Article State Finance and Procurement
- Section 3A–101 through 3A–702, respectively, and the title "Title 3A. Department of

15 Information Technology"

- to be Section 3.5–101 through 3.5–702, respectively, and the title "Title 3.5.
- 17 Department of Information Technology"
- 18 Annotated Code of Maryland
- 19 (2021 Replacement Volume)
- 20 BY repealing and reenacting, with amendments,
- 21 Article Criminal Procedure
- 22 Section 10–221(b)
- 23 Annotated Code of Maryland
- 24 (2018 Replacement Volume and 2021 Supplement)
- 25 BY repealing and reenacting, with amendments,

| 1 2 3 4 | Article – Health – General Section 21–2C–03(h)(2)(i) Annotated Code of Maryland (2019 Replacement Volume and 2021 Supplement) | | | | | |
|------------------|--|--|--|--|--|--|
| | | | | | | |
| 5 | BY repealing and reenacting, with amendments, | | | | | |
| 6 | Article – Human Services | | | | | |
| 7 8 | Section 7–806(a), (b)(1), (c)(1), (d)(1) and (2)(i), and (g)(1) Annotated Code of Maryland | | | | | |
| 9 | (2019 Replacement Volume and 2021 Supplement) | | | | | |
| 10 | BY repealing and reenacting, with amendments, | | | | | |
| 11 | Article – Insurance | | | | | |
| 12 | Section 31–103(a)(2)(i) and (b)(2) | | | | | |
| 13 | Annotated Code of Maryland | | | | | |
| 14 | (2017 Replacement Volume and 2021 Supplement) | | | | | |
| 15 | BY repealing and reenacting, with amendments, | | | | | |
| 16 | Article – Natural Resources | | | | | |
| 17 | Section 1–403(c) | | | | | |
| 18 19 | Annotated Code of Maryland (2018 Replacement Volume and 2021 Supplement) | | | | | |
| 19 | (2016 Replacement Volume and 2021 Supplement) | | | | | |
| 20 | BY repealing and reenacting, without amendments, | | | | | |
| 21 | Article – State Finance and Procurement | | | | | |
| 22 | Section 3.5–101(a) and (e) | | | | | |
| 23 | Annotated Code of Maryland | | | | | |
| 24 | (2021 Replacement Volume) | | | | | |
| 25 | (As enacted by Section 1 of this Act) | | | | | |
| 26 | BY adding to | | | | | |
| 27 | Article – State Finance and Procurement | | | | | |
| 28 | Section 3.5–2A–01 through 3.5–2A–05 to be under the new subtitle "Subtitle 2A | | | | | |
| 29 | Office of Security Management" | | | | | |
| 30 | Annotated Code of Maryland | | | | | |
| 31 | (2021 Replacement Volume) | | | | | |
| 32 | BY repealing and reenacting, with amendments, | | | | | |
| 33 | Article – State Finance and Procurement | | | | | |
| 34 | Section $3.5-301$, $3.5-302(c)$, $3.5-303(c)(2)(ii)2$., $3.5-307(a)(2)$, $3.5-309(c)(2)$, $(i)(3)$ | | | | | |
| 35 | and (l)(1)(i), 3.5–311(a)(2)(i), and 3.5–404 | | | | | |
| 36 | · · · · · · · · · · · · · · · · · · · | | | | | |
| 37 | (2021 Replacement Volume) | | | | | |
| 38 | (As enacted by Section 1 of this Act) | | | | | |
| 39 | BY repealing and reenacting, with amendments, | | | | | |
| 40 | Article – State Finance and Procurement | | | | | |

| | HOUSE BILL IIV | | | | | |
|-----------------------|---|--|--|--|--|--|
| 1 2 3 | Annotated Code of Maryland | | | | | |
| 4 5 6 7 8 | That Section(s) 3A–101 through 3A–702, respectively, and the title "Title 3A. Department of Information Technology" of Article – State Finance and Procurement of the Annotated Code of Maryland be renumbered to be Section(s) 3.5–101 through 3.5–702, respectively, | | | | | |
| 9 10 | SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows: | | | | | |
| 11 | Article - Criminal Procedure | | | | | |
| 12 | 10–221. | | | | | |
| 13 14 15 | (b) Subject to Title [3A] 3.5 , Subtitle 3 of the State Finance and Procurement Article, the regulations adopted by the Secretary under subsection (a)(1) of this section and the rules adopted by the Court of Appeals under subsection (a)(2) of this section shall: | | | | | |
| 16 17 | (1) regulate the collection, reporting, and dissemination of criminal history record information by a court and criminal justice units; | | | | | |
| 18 19 | (2) ensure the security of the criminal justice information system and criminal history record information reported to and collected from it; | | | | | |
| 20 21 | (3) regulate the dissemination of criminal history record information in accordance with Subtitle 1 of this title and this subtitle; | | | | | |
| 22 23 | (4) regulate the procedures for inspecting and challenging criminal history record information; | | | | | |
| 24 25 | (5) regulate the auditing of criminal justice units to ensure that criminal history record information is: | | | | | |
| 26 | (i) accurate and complete; and | | | | | |
| 27 28 | (ii) collected, reported, and disseminated in accordance with Subtitle 1 of this title and this subtitle; | | | | | |
| 29 30 | (6) regulate the development and content of agreements between the Central Repository and criminal justice units and noncriminal justice units; and | | | | | |
| 31 32 33 | (7) regulate the development of a fee schedule and provide for the collection of the fees for obtaining criminal history record information for other than criminal justice purposes. | | | | | |

1 Article - Health - General

- 2 21–2C–03.
- 3 (h) (2) The Board is subject to the following provisions of the State Finance 4 and Procurement Article:
- 5 (i) Title [3A] **3.5**, Subtitle 3 (Information Processing AND SECURITY), to the extent that the Secretary of Information Technology determines that 7 an information technology project of the Board is a major information technology 8 development project;

Article - Human Services

10 7-806.

- 11 (a) (1) Subject to paragraph (2) of this subsection, the programs under § 7–804(a) of this subtitle, § 7–902(a) of this title, and [§ 3A–702] § 3.5–702 of the State 13 Finance and Procurement Article shall be funded as provided in the State budget.
- 14 (2) For fiscal year 2019 and each fiscal year thereafter, the program under 15 [§ 3A–702] § 3.5–702 of the State Finance and Procurement Article shall be funded at an amount that:
- 17 (i) is equal to the cost that the Department of Aging is expected to 18 incur for the upcoming fiscal year to provide the service and administer the program; and
- 19 (ii) does not exceed 5 cents per month for each account out of the 20 surcharge amount authorized under subsection (c) of this section.
- 21 (b) (1) There is a Universal Service Trust Fund created for the purpose of 22 paying the costs of maintaining and operating the programs under:
- 23 (i) § 7–804(a) of this subtitle, subject to the limitations and controls 24 provided in this subtitle;
- 25 (ii) § 7–902(a) of this title, subject to the limitations and controls 26 provided in Subtitle 9 of this title; and
- 27 (iii) [§ 3A-702] § 3.5-702 of the State Finance and Procurement 28 Article, subject to the limitations and controls provided in Title [3A] 3.5, Subtitle 7 of the 29 State Finance and Procurement Article.
- 30 (c) (1) The costs of the programs under § 7–804(a) of this subtitle, § 7–902(a) 31 of this title, and [§ 3A–702] § 3.5–702 of the State Finance and Procurement Article shall

| 1 | be funded by revenues generated by: |
|----------------------|--|
| 2 3 | (i) a surcharge to be paid by the subscribers to a communications service; and |
| 4 | (ii) other funds as provided in the State budget. |
| 5 6 7 8 | (d) (1) The Secretary shall annually certify to the Public Service Commission the costs of the programs under § 7–804(a) of this subtitle, § 7–902(a) of this title, and [§ 3A–702] § 3.5–702 of the State Finance and Procurement Article to be paid by the Universal Service Trust Fund for the following fiscal year. |
| 9 10 11 12 | (2) (i) The Public Service Commission shall determine the surcharge for the following fiscal year necessary to fund the programs under § 7–804(a) of this subtitle § 7–902(a) of this title, and [§ 3A–702] § 3.5–702 of the State Finance and Procurement Article. |
| 13 14 15 16 | (g) (1) The Legislative Auditor may conduct postaudits of a fiscal and compliance nature of the Universal Service Trust Fund and the expenditures made for purposes of § 7–804(a) of this subtitle, § 7–902(a) of this title, and [§ 3A–702] § 3.5–702 of the State Finance and Procurement Article. |
| 17 | Article – Insurance |
| 18 | 31–103. |
| 9 | (a) The Exchange is subject to: |
| 20 | (2) the following provisions of the State Finance and Procurement Article: |
| 21 22 23 24 | (i) Title [3A] 3.5 , Subtitle 3 (Information Processing AND SECURITY), to the extent that the Secretary of Information Technology determines that an information technology project of the Exchange is a major information technology development project; |
| 25 | (b) The Exchange is not subject to: |
| 26 27 28 | (2) Title [3A] 3.5 , Subtitle 3 (Information Processing AND SECURITY) of the State Finance and Procurement Article, except to the extent determined by the Secretary of Information Technology under subsection (a)(2)(i) of this section; |
| 29 | Article - Natural Resources |

31 (c) The Department shall develop the electronic system consistent with the

1-403.

- 1 statewide information technology master plan developed under Title [3A] **3.5**, Subtitle 3 of
- 2 the State Finance and Procurement Article.
- 3 Article State Finance and Procurement
- 4 3.5–101.
- 5 (a) In this title the following words have the meanings indicated.
- 6 (e) "Unit of State government" means an agency or unit of the Executive Branch 7 of State government.
- 8 SUBTITLE 2A. OFFICE OF SECURITY MANAGEMENT.
- 9 **3.5–2A–01.**
- 10 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
- 11 INDICATED.
- 12 (B) "COUNCIL" MEANS THE MARYLAND CYBERSECURITY COORDINATING
- 13 COUNCIL.
- 14 (C) "Information system" has the meaning stated in § 3.5–301 of
- 15 THIS TITLE.
- 16 (D) "OFFICE" MEANS THE OFFICE OF SECURITY MANAGEMENT.
- 17 **3.5–2A–02.**
- 18 THERE IS AN OFFICE OF SECURITY MANAGEMENT WITHIN THE DEPARTMENT.
- 19 **3.5–2A–03.**
- 20 (A) THE HEAD OF THE OFFICE IS THE STATE CHIEF INFORMATION
- 21 SECURITY OFFICER.
- 22 (B) THE STATE CHIEF INFORMATION SECURITY OFFICER SHALL:
- 23 (1) BE APPOINTED BY AND SERVE AT THE PLEASURE OF THE
- 24 GOVERNOR; AND
- 25 (2) BE SUPERVISED BY THE SECRETARY.
- 26 (C) THE STATE CHIEF INFORMATION SECURITY OFFICER SHALL PROVIDE

- 1 CYBERSECURITY ADVICE AND RECOMMENDATIONS TO THE GOVERNOR ON
- 2 REQUEST.
- 3 **3.5–2A–04**.
- 4 (A) THE OFFICE IS RESPONSIBLE FOR THE CREATION, DIRECTION,
- 5 COORDINATION, AND IMPLEMENTATION OF THE OVERALL CYBERSECURITY
- 6 STRATEGY AND POLICY FOR UNITS OF STATE GOVERNMENT.
- 7 (B) THE OFFICE SHALL:
- 8 (1) ESTABLISH STANDARDS TO CATEGORIZE ALL INFORMATION
- 9 SYSTEMS MAINTAINED BY OR ON BEHALF OF EACH UNIT OF STATE GOVERNMENT;
- 10 (2) DEVELOP GUIDELINES GOVERNING THE TYPES OF INFORMATION
- 11 AND INFORMATION SYSTEMS TO BE INCLUDED IN EACH CATEGORY;
- 12 (3) ESTABLISH SECURITY REQUIREMENTS FOR INFORMATION AND
- 13 INFORMATION SYSTEMS IN EACH CATEGORY;
- 14 (4) ASSESS THE CATEGORIZATION OF INFORMATION AND
- 15 INFORMATION SYSTEMS AND THE ASSOCIATED IMPLEMENTATION OF THE SECURITY
- 16 REQUIREMENTS ESTABLISHED UNDER ITEM (3) OF THIS SUBSECTION;
- 17 (5) IF THE STATE CHIEF INFORMATION SECURITY OFFICER
- 18 DETERMINES THAT THERE ARE SECURITY VULNERABILITIES OR DEFICIENCIES IN
- 19 INFORMATION SYSTEMS, DETERMINE AND DIRECT OR TAKE THE ACTIONS
- 20 NECESSARY TO CORRECT AND REMEDIATE THE VULNERABILITIES OR DEFICIENCIES
- 21 AND MAY REQUIRE THE APPLICABLE INFORMATION SYSTEM TO BE DISCONNECTED;
- 22 (6) IF THE STATE CHIEF INFORMATION SECURITY OFFICER
- 23 DETERMINES THAT THERE IS A CYBERSECURITY THREAT CAUSED BY AN ENTITY
- 24 CONNECTED TO THE NETWORK CREATED UNDER § 3.5-404 OF THIS TITLE THAT
- 25 INTRODUCES A SERIOUS RISK TO ENTITIES CONNECTED TO THAT NETWORK OR THE
- 26 STATE, TAKE OR DIRECT ACTIONS REQUIRED TO MITIGATE THAT THREAT;
- 27 (7) MANAGE SECURITY AWARENESS TRAINING FOR ALL
- 28 APPROPRIATE EMPLOYEES OF UNITS OF STATE GOVERNMENT;
- 29 (8) ASSIST IN THE DEVELOPMENT OF DATA MANAGEMENT, DATA
- 30 GOVERNANCE, AND DATA SPECIFICATION STANDARDS TO PROMOTE
- 31 STANDARDIZATION AND REDUCE RISK; AND

- 1 (9) ASSIST IN THE DEVELOPMENT OF A DIGITAL IDENTITY STANDARD
- 2 AND SPECIFICATION APPLICABLE TO ALL PARTIES COMMUNICATING, INTERACTING,
- 3 OR CONDUCTING BUSINESS WITH OR ON BEHALF OF A UNIT OF STATE GOVERNMENT.
- 4 **3.5–2A–05.**
- 5 (A) THERE IS A MARYLAND CYBERSECURITY COORDINATING COUNCIL.
- 6 (B) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:
- 7 (1) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE
- 8 SECRETARY'S DESIGNEE;
- 9 (2) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S
- 10 DESIGNEE;
- 11 (3) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;
- 12 (4) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S
- 13 **DESIGNEE**;
- 14 (5) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL
- 15 SERVICES, OR THE SECRETARY'S DESIGNEE;
- 16 (6) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S
- 17 **DESIGNEE**;
- 18 (7) THE STATE CHIEF INFORMATION SECURITY OFFICER;
- 19 (8) THE ADJUTANT GENERAL OF THE MARYLAND NATIONAL GUARD,
- 20 OR THE ADJUTANT GENERAL'S DESIGNEE;
- 21 (9) THE SECRETARY OF EMERGENCY MANAGEMENT, OR THE
- 22 SECRETARY'S DESIGNEE;
- 23 (10) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S
- 24 **DESIGNEE**;
- 25 (11) THE SUPERINTENDENT OF STATE POLICE, OR THE
- 26 SUPERINTENDENT'S DESIGNEE;
- 27 (12) THE DIRECTOR OF THE GOVERNOR'S OFFICE OF HOMELAND
- 28 SECURITY, OR THE DIRECTOR'S DESIGNEE; AND

- 1 (13) ANY OTHER MEMBER THE CHAIR OF THE COUNCIL ADDS TO THE 2 COUNCIL AT THE CHAIR'S DISCRETION.
- 3 (C) THE CHAIR OF THE COUNCIL IS THE STATE CHIEF INFORMATION 4 SECURITY OFFICER.
- 5 (D) THE COUNCIL SHALL MEET AT LEAST QUARTERLY AT THE REQUEST OF 6 THE CHAIR.
- 7 (E) THE COUNCIL SHALL PROVIDE ADVICE AND RECOMMENDATIONS TO 8 THE STATE CHIEF INFORMATION SECURITY OFFICER REGARDING:
- 9 (1) THE STRATEGY AND IMPLEMENTATION OF CYBERSECURITY 10 INITIATIVES AND RECOMMENDATIONS; AND
- 11 (2) BUILDING AND SUSTAINING THE CAPABILITY OF THE STATE TO
 12 IDENTIFY AND MITIGATE CYBERSECURITY RISK AND RESPOND TO AND RECOVER
 13 FROM CYBERSECURITY-RELATED INCIDENTS.
- 14 (F) IN CARRYING OUT THE DUTIES OF THE COUNCIL, THE COUNCIL MAY
 15 CONSULT WITH OUTSIDE EXPERTS, INCLUDING EXPERTS IN THE PRIVATE SECTOR,
 16 GOVERNMENT AGENCIES, AND INSTITUTIONS OF HIGHER EDUCATION.
- 17 3.5–301.
- 18 (a) In this subtitle the following words have the meanings indicated.
- 19 "Cybersecurity" means [processes or capabilities wherein (b) systems, 20 communications, and information are protected and defended against damage, 21unauthorized use or modification, and exploitation PREVENTION OF DAMAGE TO. 22**PROTECTION** OF. AND RESTORATION OF COMPUTERS, **ELECTRONIC** 23COMMUNICATIONS SYSTEMS, ELECTRONIC COMMUNICATIONS SERVICES, WIRE 24COMMUNICATION, AND ELECTRONIC COMMUNICATION, INCLUDING INFORMATION CONTAINED IN A COMPUTER, AN ELECTRONIC COMMUNICATIONS SYSTEM, AN 2526 ELECTRONIC COMMUNICATIONS SERVICE, A WIRE COMMUNICATION, OR AN 27 ELECTRONIC COMMUNICATION, TO ENSURE THE INFORMATION'S AVAILABILITY, 28 INTEGRITY, AUTHENTICATION, CONFIDENTIALITY, AND NONREPUDIATION.
- 29 (c) "Cybersecurity strategy" means a vision, a plan of action, or guiding 30 principles.
- 31 (d) (1) "Development" means all expenditures for a new information 32 technology system or an enhancement to an existing system including system:

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criteria:

| 1 | | (i) | planning; |
|----------------|--|-----------------|---|
| 2 | | (ii) | procurement; |
| 3 | | (iii) | creation; |
| 4 | | (iv) | installation; |
| 5 | | (v) | testing; and |
| 6 | | (vi) | initial training. |
| 7 | (2) | "Deve | elopment" does not include: |
| 8 9 10 | routine upgrades, of functionality; or | | ongoing operating costs, software or hardware maintenance, ifications that merely allow for a continuation of the existing level |
| 11 12 13 | legally accepted by intended. | (ii) y the ı | expenditures made after a new or enhanced system has been user and is being used for the business process for which it was |
| 14 | (e) "Fund | d" mea | ns the Major Information Technology Development Project Fund. |
| 15 16 17 | RESOURCES ORG | ANIZE | TION SYSTEM" MEANS A DISCRETE SET OF INFORMATION DEFORE THE COLLECTION, PROCESSING, MAINTENANCE, USE, ION, OR DISPOSITION OF INFORMATION. |
| 18 19 | [(f)] (G) hardware and soft | | rmation technology" means all electronic information processing including: |
| 20 | (1) | main | tenance; |
| 21 | (2) | teleco | ommunications; [and] |
| 22 | (3) | assoc | iated consulting services; AND |
| 23 | (4) | INFO | RMATION SYSTEMS. |
| 24 25 | [(g)] (H) electronic means b | | rmation technology services" means information provided by a behalf of a unit of State government. |
| 26 27 | [(h)] (I) information techn | - | or information technology development project" means any development project that meets one or more of the following |

(1) 1 the estimated total cost of development equals or exceeds \$1,000,000; 2 (2)the project is undertaken to support a critical business function 3 associated with the public health, education, safety, or financial well-being of the citizens 4 of Maryland; or 5 (3)the Secretary determines that the project requires the special attention 6 and consideration given to a major information technology development project due to: 7 (i) the significance of the project's potential benefits or risks; 8 the impact of the project on the public or local governments; (ii) 9 (iii) the public visibility of the project; or 10 (iv) other reasons as determined by the Secretary. 11 [(i)] **(J)** "Master plan" means the statewide information technology master 12 plan. 13 [(i)] **(K)** "Nonvisual access" means the ability, through keyboard control, 14 synthesized speech, Braille, or other methods not requiring sight to receive, use, and 15 manipulate information and operate controls necessary to access information technology in accordance with standards adopted under [§ 3A-303(b)] § 3.5-303(B) of this subtitle. 16 17 [(k)] (L) "Resource sharing" means the utilization of a State resource by private 18 industry in exchange for the provision to the State of a communication service or other 19 consideration. 20 "Systems development life cycle plan" means a plan that defines all [(1)] **(M)** 21actions, functions, or activities to be performed by a unit of State government in the 22definition, planning, acquisition, development, testing, implementation, operation, 23enhancement, and modification of information technology systems. 243.5 - 302.25 Notwithstanding any other provision of law, except as provided in subsection 26 (a) of this section and [§§ 3A-307(a)(2), 3A-308, and 3A-309] §§ 3.5-307(A)(2), 3.5-308, AND 3.5-309 of this subtitle, this subtitle applies to all units of the Executive Branch of 27

State government including public institutions of higher education other than Morgan

State University, the University System of Maryland, and St. Mary's College of Maryland,

31 3.5–303.

and Baltimore City Community College.

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- 1 On or before January 1, 2020, the Secretary, or the Secretary's designee, shall: (c) 2 **(2)** establish a process for the Secretary or the Secretary's designee to: 3 2. (ii) for information technology procured by a State unit on or 4 after January 1, 2020, enforce the nonvisual access clause developed under [§ 3A–311] § 5 3.5-311 of this subtitle, including the enforcement of the civil penalty described in [§ 6 3A-311(a)(2)(iii)1] § 3.5-311(A)(2)(III)1 of this subtitle. 7 3.5 - 307.8 A unit of State government other than a public institution of higher (a) (2) 9 education may not make expenditures for major information technology development 10 projects except as provided in [§ 3A–308] § 3.5–308 of this subtitle. 11 3.5 - 309.12 (c) The Secretary: 13 (2)subject to the provisions of § 2–201 of this article and [§ 3A–307] § **3.5–307** of this subtitle, may receive and accept contributions, grants, or gifts of money or 14 15 property. 16 (i) The Fund may be used: 17 notwithstanding [§ 3A-301(b)(2)] § 3.5-301(B)(2) of this subtitle, for 18 the costs of the first 12 months of operation and maintenance of a major information technology development project. 19 20 Notwithstanding subsection (b) of this section and in accordance with 21 paragraph (2) of this subsection, money paid into the Fund under subsection (e)(2) of this 22section shall be used to support: 23the State telecommunication and computer network established under [§ 3A-404] § 3.5-404 of this title, including program development for these 2425activities; and 263.5 - 311.27 On or after January 1, 2020, the nonvisual access clause developed in 28accordance with paragraph (1) of this subsection shall include a statement that:
- 29 (i) within 18 months after the award of the procurement, the 30 Secretary, or the Secretary's designee, will determine whether the information technology 31 meets the nonvisual access standards adopted in accordance with [§ 3A-303(b)] § 3.5-303(B) of this subtitle;

- 1 3.5–404.
- 2 (a) The General Assembly declares that:
- 3 (1) it is the policy of the State to foster telecommunication and computer 4 networking among State and local governments, their agencies, and educational 5 institutions in the State:
- 6 (2) there is a need to improve access, especially in rural areas, to efficient telecommunication and computer network connections;
- 8 (3) improvement of telecommunication and computer networking for State 9 and local governments and educational institutions promotes economic development, 10 educational resource use and development, and efficiency in State and local administration;
- 11 (4) rates for the intrastate inter-LATA telephone communications needed 12 for effective integration of telecommunication and computer resources are prohibitive for 13 many smaller governments, agencies, and institutions; and
- 14 (5) the use of improved State telecommunication and computer networking 15 under this section is intended not to compete with commercial access to advanced network 16 technology, but rather to foster fundamental efficiencies in government and education for 17 the public good.
- 18 (b) (1) The Department shall establish a telecommunication and computer 19 network in the State.
- 20 (2) The network shall consist of:
- 21 (i) one or more connection facilities for telecommunication and 22 computer connection in each local access transport area (LATA) in the State; and
- 23 (ii) facilities, auxiliary equipment, and services required to support 24 the network in a reliable and secure manner.
- 25 (c) The network shall be accessible through direct connection and through local 26 intra–LATA telecommunications to State and local governments and public and private 27 educational institutions in the State.
- (D) ON OR BEFORE DECEMBER 1 EACH YEAR, EACH UNIT OF THE LEGISLATIVE BRANCH OR JUDICIAL BRANCH OF STATE GOVERNMENT THAT USES THE NETWORK ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION SHALL CERTIFY TO THE DEPARTMENT THAT THE UNIT IS IN COMPLIANCE WITH THE DEPARTMENT'S MINIMUM SECURITY STANDARDS.
- 33 12–107.

| $\frac{1}{2}$ | (b) Subject to the authority of the Board, jurisdiction over procurement is as follows: | | | | |
|---------------|--|--|--|--|--|
| 3 | (2) the Department of General Services may: | | | | |
| 4 | (i) engage in or control procurement of: | | | | |
| 5 6 | 10. information processing equipment and associated services, as provided in Title [3A] 3.5 , Subtitle 3 of this article; and | | | | |
| 7 8 | 11. telecommunication equipment, systems, or services, as provided in Title [3A] 3.5 , Subtitle 4 of this article; | | | | |
| 9 10 11 | each agency and unit of the Executive Branch of State government shall submit a report to | | | | |
| 12 13 | (1) an inventory of all information systems and applications used or maintained by the agency or unit; | | | | |
| 14 | (2) a full data inventory of the agency or unit; | | | | |
| 15 16 | (3) a list of all cloud or statistical analysis system solutions used by the agency or unit; and | | | | |
| 17 18 | (4) a list of all permanent and transient vendor interconnections that are in place. | | | | |
| 19 20 | SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022. | | | | |