
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1139 Session of
2023

INTRODUCED BY KENYATTA, MADDEN, GALLOWAY, RABB, SANCHEZ,
SAMUELSON, D. WILLIAMS, SOLOMON, PARKER AND SHUSTERMAN,
MAY 8, 2023

REFERRED TO COMMITTEE ON COMMERCE, MAY 8, 2023

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in organization of departmental administrative
22 boards and commissions and of advisory boards and
23 commissions, providing for Cybersecurity Coordination Board.

24 The General Assembly of the Commonwealth of Pennsylvania

25 hereby enacts as follows:

26 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
27 as The Administrative Code of 1929, is amended by adding a
28 section to read:

1 Section 480. Cybersecurity Coordination Board.--(a) The
2 following apply regarding establishment and purposes:

3 (1) The Cybersecurity Coordination Board is established
4 within the Office of Administration.

5 (2) The Cybersecurity Coordination Board shall:

6 (i) Collect, study and share information about cybersecurity
7 issues and initiatives and provide advice to the Governor with
8 respect to developing uniform cybersecurity techniques,
9 standards, policies, procedures and best practices.

10 (ii) Coordinate efforts with Federal, State and local
11 government agencies, academic institutions and the private
12 sector to promote effective cybersecurity measures for the
13 benefit of the residents, businesses, government entities and
14 other entities within this Commonwealth.

15 (b) The Cybersecurity Coordination Board shall consist of
16 the following members:

17 (1) The Secretary of Administration or a designee.

18 (2) The Secretary of Banking and Securities or a designee.

19 (3) The Secretary of the Commonwealth or a designee.

20 (4) The Secretary of Community and Economic Development or a
21 designee.

22 (5) The Secretary of Corrections or a designee.

23 (6) The Secretary of Education or a designee.

24 (7) The Secretary of Health or a designee.

25 (8) The Secretary of Human Services or a designee.

26 (9) The Secretary of Labor and Industry or a designee.

27 (10) The Secretary of Revenue or a designee.

28 (11) The Secretary of Transportation or a designee.

29 (12) The Adjutant General of the Department of Military and
30 Veterans Affairs or a designee.

1 (13) The Attorney General or a designee.

2 (14) The Auditor General or a designee.

3 (15) The Commissioner of Pennsylvania State Police or a
4 designee.

5 (16) The State Treasurer or a designee.

6 (17) The Director of the Pennsylvania Emergency Management
7 Agency or a designee.

8 (18) The Commonwealth's Chief Information Security Officer
9 under the Office of Administration.

10 (19) The Director of the Governor's Office of Homeland
11 Security or a designee.

12 (20) The Chancellor of the State System of Higher Education
13 or a designee.

14 (21) The Executive Director of the Pennsylvania Public
15 Utility Commission or a designee.

16 (22) The Court Administrator of the Administrative Office of
17 Pennsylvania Courts or a designee.

18 (23) One member of the Senate to be appointed by the
19 President pro tempore.

20 (24) One member of the House of Representatives to be
21 appointed by the Speaker of the House of Representatives.

22 (25) One member of the Senate to be appointed by the
23 Minority Leader of the Senate.

24 (26) One member of the House of Representatives to be
25 appointed by the Minority Leader of the House of
26 Representatives.

27 (27) The Executive Director of the County Commissioners
28 Association of Pennsylvania or a designee.

29 (28) The Executive Director for the Pennsylvania Municipal
30 League or a designee.

1 (29) The Executive Director for the Pennsylvania State
2 Association of Township Supervisors or a designee.

3 (30) The Executive Director for the Pennsylvania State
4 Association of Boroughs or a designee.

5 (31) The Executive Director for the Pennsylvania State
6 Association of Township Commissioners or a designee.

7 (32) The President of the Pennsylvania Association of
8 Intermediate Units or a designee.

9 (c) The Cybersecurity Coordination Board shall also include
10 three cybersecurity subject matter experts from private sector
11 industries that shall be appointed by and serve at the pleasure
12 of the Governor.

13 (d) The Governor shall invite the following representatives
14 of Federal agencies to serve as advisory members to the
15 Cybersecurity Coordination Board:

16 (1) The United States Secretary of Defense or the
17 secretary's designee.

18 (2) The United States Secretary of Homeland Security or the
19 secretary's designee.

20 (3) The Director of the National Institute of Standards and
21 Technology or a designee.

22 (4) The Director of the Defense Information Systems Agency
23 or the director's designee.

24 (5) The Director of the Intelligence Advanced Research
25 Projects Activity or the director's designee.

26 (6) The Director of the Federal Bureau of Investigation or
27 the director's designee.

28 (e) The voting members of the Cybersecurity Coordination
29 Board shall elect a chairperson, vice chairperson and secretary
30 of the Cybersecurity Coordination Board.

1 (f) The Cybersecurity Coordination Board shall, with the
2 approval of the Governor, appoint an executive director to carry
3 out the duties of the Cybersecurity Coordination Board. The
4 following apply to the executive director:

5 (1) The executive director shall serve at the pleasure of
6 the Cybersecurity Coordination Board. The selection and removal
7 of the executive director shall be made by a simple majority of
8 the voting members of the Cybersecurity Coordination Board that
9 constitute a quorum.

10 (2) The executive director shall be qualified for the duties
11 of the position, as determined by the Cybersecurity Coordination
12 Board.

13 (3) The executive director shall conduct the work of the
14 Cybersecurity Coordination Board under the direction and
15 supervision of the Cybersecurity Coordination Board.

16 (4) The executive director shall provide a report to the
17 Governor of the final determination of any action or inaction
18 that the Cybersecurity Coordination Board recommends, including
19 any advice or information in support of or in addition to any
20 final determination of the Cybersecurity Coordination Board.

21 (5) A current member of the Cybersecurity Coordination Board
22 may not serve as the executive director.

23 (6) The executive director's appointment shall not continue
24 beyond the expiration of this section.

25 (7) The executive director shall be subject to the same
26 policies and procedures as employees of the Office of
27 Administration.

28 (8) The Cybersecurity Coordination Board shall fix the
29 compensation of the executive director, subject to the approval
30 of the Executive Board.

1 (g) The Office of Administration shall acquire staff, office
2 space, office equipment and supplies and obtain the services of
3 cybersecurity subject matter experts to assist the Cybersecurity
4 Coordination Board and the executive director of the
5 Cybersecurity Coordination Board in fulfilling the duties under
6 this section.

7 (h) The Cybersecurity Coordination Board and the executive
8 director of the Cybersecurity Coordination Board may be
9 supported by the Office of Administration's designated staff in
10 furtherance of the Cybersecurity Coordination Board fulfilling
11 the duties under this section.

12 (i) The Cybersecurity Coordination Board shall meet no fewer
13 than four times a year to review and assess cybersecurity,
14 including risks, protective measures, laws, regulations,
15 governances, technologies, standards and best practices that
16 affect the Federal, State, county and local governments,
17 international government, businesses and other entities.
18 Additional meetings shall be at the discretion of the
19 Commonwealth's Chief Information Security Officer under the
20 Office of Administration, until an executive director of the
21 Cybersecurity Coordination Board is appointed, after which any
22 additional meetings shall be held at the discretion of the
23 executive director of the Cybersecurity Coordination Board.

24 (j) The Cybersecurity Coordination Board may establish
25 committees, as needed, to formulate recommended positions or
26 actions.

27 (k) The Cybersecurity Coordination Board, through the
28 executive director of the Cybersecurity Coordination Board,
29 shall provide the Governor an annual report summarizing the
30 Cybersecurity Coordination Board's findings and assessments. The

1 following apply:

2 (1) The report shall include an overview of the
3 cybersecurity landscape, changes since the prior report, issues
4 and risks affecting the protection of information,
5 recommendations to resolve and mitigate the issues and risks and
6 any other relevant information deemed appropriate by the
7 Cybersecurity Coordination Board with respect to cybersecurity.

8 (2) The report shall be confidential and exempt from
9 disclosure as provided under subsection (1).

10 (1) Deliberations, documentation, records, correspondence
11 and all work of the Cybersecurity Coordination Board and its
12 committees, including any actions or reports of the
13 Cybersecurity Coordination Board, shall be confidential and
14 shall be exempt from the requirements of the following:

15 (1) The act of February 14, 2008 (P.L.6, No.3), known as the
16 "Right-to-Know Law."

17 (2) 65 Pa.C.S. Ch. 7 (relating to open meetings).

18 (m) Members of the Cybersecurity Coordination Board and its
19 committee members shall serve without compensation except for
20 payment of necessary and actual expenses incurred in attending
21 meetings and in performing duties and responsibilities as
22 members.

23 (n) The Cybersecurity Coordination Board and its committee
24 members, including advisory members, shall not use their
25 position to sell products or services to the Commonwealth or
26 benefit financially or enable their immediate family members or
27 employers to benefit financially, whether directly or
28 indirectly, from Commonwealth initiatives that result from
29 recommendations or advice provided by the Cybersecurity
30 Coordination Board under this section.

1 (o) This section shall expire four years after the effective
2 date of this subsection.

3 Section 2. This act shall take effect in 60 days.