

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2009** Session of  
2019

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YOUNGBLOOD, OCTOBER 30, 2019

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AS REPORTED FROM COMMITTEE ON COMMERCE, HOUSE OF  
REPRESENTATIVES, AS AMENDED, DECEMBER 17, 2019

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## 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

1 as The Administrative Code of 1929, is amended by adding a  
2 section to read:

3 Section 480. Cybersecurity Coordination Board.--(a) There  
4 is hereby established the Cybersecurity Coordination Board  
5 within the Office of Administration. The Cybersecurity  
6 Coordination Board shall collect, study and share information  
7 about data privacy and cybersecurity issues and initiatives and  
8 provide advice to the Governor with respect to developing  
9 uniform cybersecurity techniques, standards, policies,  
10 procedures and best practices. The Cybersecurity Coordination  
11 Board shall coordinate efforts with Federal, State and local  
12 government agencies, academic institutions and the private  
13 sector to promote effective cybersecurity measures for the  
14 benefit of the residents, businesses, government entities and  
15 other entities within this Commonwealth.

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

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

20 (2) One member of the Senate to be appointed by the Minority  
21 Leader of the Senate.

22 (3) One member of the House of Representatives to be  
23 appointed by the Speaker of the House of Representatives.

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

27 (5) The Secretary of Community and Economic Development or a  
28 cybersecurity subject matter expert designated by the secretary.

29 (6) The Secretary of Labor and Industry or a cybersecurity  
30 subject matter expert designated by the secretary.

1 (7) The Director of the Pennsylvania Emergency Management  
2 Agency or a cybersecurity subject matter expert designated by  
3 the director.

4 (8) The Secretary of Banking and Securities or a  
5 cybersecurity subject matter expert designated by the secretary.

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

8 (10) The Commonwealth's Chief Privacy Officer.

9 (11) The Secretary of Corrections or a cybersecurity subject  
10 matter expert designated by the secretary.

11 (12) The Secretary of Transportation or a cybersecurity  
12 subject matter expert designated by the secretary.

13 (13) The Secretary of Revenue or a cybersecurity subject  
14 matter expert designated by the secretary.

15 (14) The Secretary of Administration or a cybersecurity  
16 subject matter expert designated by the secretary.

17 (15) The Secretary of Human Services or a cybersecurity  
18 subject matter expert designated by the secretary.

19 (16) The Secretary of Education or a cybersecurity subject  
20 matter expert designated by the secretary.

21 (17) The Secretary of State or a cybersecurity subject  
22 matter expert designated by the secretary.

23 (18) The Secretary of Health or a cybersecurity subject  
24 matter expert designated by the secretary.

25 (19) The Commissioner of the Pennsylvania State Police or a  
26 cybersecurity subject matter expert designated by the  
27 commissioner.

28 (20) THE ATTORNEY GENERAL OR A CYBERSECURITY SUBJECT MATTER <--  
29 EXPERT DESIGNATED BY THE ATTORNEY GENERAL.

30 ~~(20)~~ (21) The Adjutant General of the Department of Military <--

1 and Veterans Affairs or a cybersecurity subject matter expert  
2 designated by the Adjutant General.

3 ~~(21)~~ (22) The Director of the Governor's Office of Homeland <--  
4 Security or cybersecurity subject matter expert designated by  
5 the director.

6 ~~(22)~~ (23) The Executive Director of the County Commissioners <--  
7 Association of Pennsylvania or a cybersecurity subject matter  
8 expert designated by the executive director.

9 ~~(23)~~ (24) The Executive Director for the Pennsylvania <--  
10 Municipal League or a cybersecurity subject matter expert  
11 designated by the executive director.

12 ~~(24)~~ (25) The Executive Director for the Pennsylvania State <--  
13 Association of Township Supervisors or a cybersecurity subject  
14 matter expert designated by the executive director.

15 ~~(25)~~ (26) The Executive Director for the Pennsylvania State <--  
16 Association of Boroughs or a cybersecurity subject matter expert  
17 designated by the executive director.

18 ~~(26)~~ (27) The Executive Director for the Pennsylvania State <--  
19 Association of Township Commissioners or a cybersecurity subject  
20 matter expert designated by the executive director.

21 ~~(27)~~ (28) The President of the Pennsylvania Association of <--  
22 Intermediate Units or a cybersecurity subject matter expert  
23 designated by the president.

24 ~~(28)~~ (29) The Chancellor of the State System of Higher <--  
25 Education or a cybersecurity subject matter expert designated by  
26 the chancellor.

27 (c) The Cybersecurity Coordination Board shall also include  
28 three cybersecurity subject matter experts from private sector  
29 industries that shall be nominated by the Cybersecurity  
30 Coordinator and appointed by and serve at the pleasure of the

1 Governor.

2 (d) The Governor shall invite the following representatives  
3 of Federal agencies to serve as advisory members to the  
4 Cybersecurity Coordination Board:

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

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

9 (3) The director of the National Institute of Standards and  
10 Technology or a designee.

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

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

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

17 (e) The Office of Administration shall acquire staff, office  
18 space, office equipment and supplies and obtain the services of  
19 cybersecurity subject matter experts to assist the Cybersecurity  
20 Coordination Board in fulfilling its duties under this section.

21 (f) The Chief Information Security Officer of the Office of  
22 Administration shall serve as Cybersecurity Coordinator to the  
23 Cybersecurity Coordination Board. The Cybersecurity Coordinator  
24 shall serve as the director and secretary of the Cybersecurity  
25 Coordination Board and shall be responsible for carrying out the  
26 duties of the Cybersecurity Coordination Board. The  
27 Cybersecurity Coordinator shall make the final determination as  
28 to any action or inaction the Cybersecurity Coordination Board  
29 shall take, including any advice or information to be given to  
30 the Governor. The Cybersecurity Coordinator shall rely on

1 support from the Office of Administration's designated staff and  
2 the Office of Administration's Office of Chief Counsel in the  
3 furtherance of the Cybersecurity Coordination Board fulfilling  
4 its duties under this section.

5 (g) (1) The Cybersecurity Coordination Board shall meet no  
6 less than four times a year to review and assess cybersecurity  
7 and privacy topics, including risks, protective measures, laws,  
8 regulations, governances, technologies, standards and best  
9 practices that affect the Federal, State, county and local  
10 governments, international government, businesses and other  
11 entities. Additional meetings shall be at the discretion of the  
12 Cybersecurity Coordinator.

13 (2) The Cybersecurity Coordination Board may establish  
14 committees, as needed, to formulate recommended positions or  
15 actions.

16 (3) The Cybersecurity Coordination Board shall provide the  
17 Governor an annual report summarizing the Cybersecurity  
18 Coordination Board's findings and assessments. The report shall  
19 include an overview of the privacy and cybersecurity landscape,  
20 changes since the prior report, issues and risks affecting the  
21 protection of information, recommendations to resolve and  
22 mitigate the issues and risks and any other relevant information  
23 deemed appropriate by the Cybersecurity Coordination Board with  
24 respect to privacy and cybersecurity. The report shall be  
25 confidential and exempt from disclosure as provided under  
26 paragraph (4).

27 (4) Deliberations, documentation, records and all work of  
28 the Cybersecurity Coordination Board and its committees,  
29 including any actions or reports of the Cybersecurity  
30 Coordination Board, shall be confidential and shall be exempt

1 from the requirements of the following:

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

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

5 (h) Members shall serve without compensation except for  
6 payment of necessary and actual expenses incurred in attending  
7 meetings and in performing their duties and responsibilities as  
8 members.

9 (i) Cybersecurity Coordination Board or committee members,  
10 including advisory members, shall not use their position to sell  
11 products or services to the Commonwealth or benefit financially  
12 or enable their immediate family members or employers to benefit  
13 financially, whether directly or indirectly, from Commonwealth  
14 initiatives that result from recommendations or advice provided  
15 by the Cybersecurity Coordination Board under this section.

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