

JAN 26 2022

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# A BILL FOR AN ACT

RELATING TO CYBERSECURITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 128B-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       "~~§128B-1 [Cybersecurity, economic, education, and~~  
4 ~~infrastructure security coordinator; powers and duties.] Hawaii~~  
5 state cybersecurity program; authorities. (a) There is  
6 established ~~[the full-time]~~ a Hawaii state cybersecurity  
7 ~~economic, education, and infrastructure security coordinator]~~  
8 program. The purpose of the program is to oversee cybersecurity  
9 and cyber resiliency matters~~[, including cybersecurity,~~  
10 ~~economic, education, and infrastructure security for the~~  
11 ~~State]. The [coordinator] program shall be [placed within the~~  
12 ~~state department of defense.]~~ administered by the office of  
13 homeland security.

14       ~~[(b) The coordinator shall be selected by the state~~  
15 ~~adjutant general based on the recommendations of the various~~  
16 ~~agencies, departments, and private entities that will partner~~  
17 ~~with the coordinator.~~

1       ~~-(e)-~~ (b) The ~~[coordinator shall partner]~~ office of  
2 homeland security shall administer the program in partnership  
3 with representatives from the following entities:

4       (1) The Hawaii state fusion center;

5       ~~[-(2)- The Hawaii state cyber resiliency center;~~

6       ~~-(3)-~~ (2) Federal government agencies;

7       ~~[-(4)-~~ (3) State government agencies;

8       ~~[-(5)-~~ (4) The counties of the State;

9       ~~[-(6)-~~ (5) Institutions of higher education; and

10       ~~[-(7)-~~ (6) Other entities within the power, water,

11               communications, transportation, and finance sectors,

12               including public utilities, private telecommunications

13               companies, airlines, financial institutions, and

14               private information technology companies.

15       ~~[-(d)-~~ (c) Notwithstanding any law to the contrary, in  
16 administering the program the ~~[coordinator,~~ office of homeland  
17 security, through its various partnerships, shall develop the  
18 requirements and methods for:

19       (1) Improving cyber resiliency within the State through

20               the development of a structure that shall include

21               education, cybersecurity, and critical infrastructure

22               protection;

- (2) Improving the State's critical infrastructure network and resiliency, including identifying interdependencies of critical infrastructures, points of connection between critical infrastructures, the most critical nodes, and the cascading effects of a cyber-attack on these points of connection between critical infrastructure;
- (3) Improving the State's cybersecurity by using existing resources within the State;
- (4) Examining specific requirements and actions to accelerate the growth of the cybersecurity industry in the State;
- (5) Defining the requirements and opportunities to secure state, federal, and private moneys for cybersecurity activities and related educational programs;
- (6) Forming partnerships to implement cyber resiliency structures and protocol to identify and share information about possible cyber-attacks and mitigate damage and recover quickly and efficiently from cyber-attacks; and
- (7) Expanding the State's cybersecurity and cyber resiliency understanding and workforce through education.

~~[(f)]~~ (e) For the purposes of this section:

"Cyber resiliency" shall mean the ability to complete vulnerability assessments, identify potential cyber-attacks, mitigate losses from cyber-attacks, and recover quickly and efficiently from cyber-attacks.

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

INTRODUCED BY:

BY REQUEST

**Report Title:**

Cybersecurity; Department of Defense; Office of Homeland Security

**Description:**

Updates and provides clarification to reflect the existence of the Hawaii State Cybersecurity Program, which is administered by the Hawaii Office of Homeland Security. Eliminates the state cybersecurity, economic, education, and infrastructure security coordinator position.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO CYBERSECURITY.

PURPOSE: To update and provide clarification to reflect the existence of a statewide cybersecurity program administered by the Hawaii Office Homeland Security (OHS) and define the scope and objectives of the cybersecurity program to meet present and future cybersecurity threats; and to eliminate the cybersecurity, economic, education, and infrastructure security coordinator position.

MEANS: Amend section 128B-1, Hawaii Revised Statutes (HRS).

JUSTIFICATION: The bill would provide a comprehensive programmatic approach to strengthening state and county cyber security to address present and future threats to public and private critical infrastructure. It would also improve the ability of the State to establish and grow programmatic mechanisms and develop state and county capabilities to identify threats and prevent, protect against, mitigate, respond to, or recover from cyber incidents, whether limited or of cascading effects.

Moreover, the bill would eliminate the cybersecurity, economic, education, and infrastructure security coordinator position. The programmatic responsibilities of this position will be integrated into other positions within OHS. This delegation of responsibilities amongst planning and operations and the Hawaii State Fusion Center in OHS would allow for a more effective and leveraged effort to meet the cybersecurity objectives of the State of Hawaii.

Impact on the public: Establishing a programmatic approach will build the necessary framework and establish the policy-based guidance necessary to grow a statewide approach to benefit both the public at large and the general business community and critical infrastructure owners and operators in Hawaii.

Impact on the department and other agencies: Positive impact on the Department of Defense. No known negative impact on other departments.

GENERAL FUND:	None.
OTHER FUNDS:	None.
PPBS PROGRAM DESIGNATION:	DEF 110.
OTHER AFFECTED AGENCIES:	None.
EFFECTIVE DATE:	Upon Approval.