

Bill as Introduced

HB 425-FN - AS AMENDED BY THE HOUSE

24Feb2021... 0027h

2021 SESSION

21-0546
05/08

HOUSE BILL **425-FN**

AN ACT establishing technical committees and a cybersecurity advisory committee in the department of information technology.

SPONSORS: Rep. L. Ober, Hills. 37

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill establishes certain technical committees and a cybersecurity advisory committee in the department of information technology.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT establishing technical committees and a cybersecurity advisory committee in the department of information technology.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraphs; Department of Information Technology; Technical Committees. Amend RSA
2 21-R:7 by inserting after paragraph VI the following new paragraphs:

3 VII. Cyber security.

4 VIII. Cloud technologies or strategies.

5 2 New Section; Cyber security Advisory Committee. Amend RSA 21-R by inserting after section
6 15 the following new section:

7 21-R:16 Cybersecurity Advisory Committee

8 I. There is hereby established the cybersecurity advisory committee (CAC) which shall be
9 chaired by the chief information security officer.

10 II. The committee shall advise the commissioner or the commissioner's designee on
11 cybersecurity concerns, promote awareness, develop effective policies and solutions, and obtain
12 consensus on enterprise-wide initiatives that advance the cybersecurity of information assets and
13 technology resources.

14 III. All executive departments and agencies shall identify and appoint an employee with
15 cybersecurity responsibilities to spearhead agency cybersecurity matters including information
16 security, confidentiality, privacy, and regulatory compliance, and to represent the agency on the
17 CAC. Contributors to the CAC may include representatives with cybersecurity responsibilities from
18 the New Hampshire National Guard, New Hampshire political subdivisions, academic institutions,
19 and select private industry representatives as identified by the CAC.

20 3 Effective Date. This act shall take effect July 1, 2021.

LBA
21-0546
Amended 2/25/21

**HB 425-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2021-0027h)**

AN ACT establishing technical committees and a cybersecurity advisory committee in the
 department of information technology

FISCAL IMPACT: State County Local None

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

None

CHAPTER 72
HB 425-FN - FINAL VERSION

24Feb2021... 0027h

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CHAPTER 72
HB 425-FN - FINAL VERSION

24Feb2021... 0027h

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1 72:1 New Paragraphs; Department of Information Technology; Technical Committees. Amend
2 RSA 21-R:7 by inserting after paragraph VI the following new paragraphs:

3 VII. Cybersecurity.

4 VIII. Cloud technologies or strategies.

5 72:2 New Section; Cybersecurity Advisory Committee. Amend RSA 21-R by inserting after
6 section 15 the following new section:

7 21-R:16 Cybersecurity Advisory Committee.

8 I. There is hereby established the cybersecurity advisory committee (CAC) which shall be
9 chaired by the chief information security officer.

10 II. The committee shall advise the commissioner or the commissioner's designee on
11 cybersecurity concerns, promote awareness, develop effective policies and solutions, and obtain
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18 the New Hampshire National Guard, New Hampshire political subdivisions, academic institutions,
19 and select private industry representatives as identified by the CAC.

20 72:3 Effective Date. This act shall take effect July 1, 2021.

Approved: June 10, 2021
Effective Date: July 01, 2021

Committee Minutes

SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: March 10, 2021

HEARINGS

Wednesday	03/17/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 94-FN	relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.
9:15 a.m.	HB 70	authorizing certification for the microblading of eyebrows.
9:30 a.m.	HB 425-FN	establishing technical committees and a cybersecurity advisory committee in the department of information technology
9:45 a.m.	HB 302	relative to the creation and use of electronic records by government agencies.
10:00 a.m.	HB 137	relative to the rulemaking authority of the department of information technology.
10:15 a.m.	HB 173-FN	requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/91554056560>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +19292056099,,91554056560# or +13017158592,,91554056560#
4. Webinar ID: 915 5405 6560
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 94-FN

Rep. McGuire

Rep. T. Lekas

HB 70

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

HB 425-FN

Rep. L. Ober

HB 302

Rep. L. Ober

HB 137

Rep. L. Ober

Rep. McGuire

Rep. Weyler

Rep. Emerick

Sen. Carson

HB 173-FN

Rep. Schuett

Rep. Schultz

Rep. Ellison

Rep. M. Pearson

Rep. Merchant

Cameron Lapine 271-2104

Sharon M Carson
Chairman

SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: March 17, 2021

HEARINGS

Wednesday	03/31/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 137	relative to the rulemaking authority of the department of information technology.
9:10 a.m.	HB 302	relative to the creation and use of electronic records by government agencies.
9:20 a.m.	HB 425-FN	establishing technical committees and a cybersecurity advisory committee in the department of information technology

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2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +13017158592,,98659292409# or +13126266799,,98659292409#
4. Webinar ID: **986 5929 2409**
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
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EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 137

Rep. L. Ober

Sen. Carson

HB 302

Rep. L. Ober

HB 425-FN

Rep. L. Ober

Rep. McGuire

Rep. Weyler

Rep. Emerick

Cameron Lapine 271-2104

Sharon M Carson
Chairman

Senate Executive Departments and Administration Committee

Cameron Lapine 271-2104

HB 425-FN, establishing technical committees and a cybersecurity advisory committee in the department of information technology

Hearing Date: March 31, 2021

Time Opened: 9:38 a.m.

Time Closed: 9:42 a.m.

Members of the Committee Present: Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill establishes certain technical committees and a cybersecurity advisory committee in the department of information technology.

Sponsors:

Rep. L. Ober

Who supports the bill: Lucinda Hope, Representative Deb Stevens (Hillsborough – District 34), Elaine Thomas, and Kathryn Smith.

Who opposes the bill: Robin Vogt.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Sharon Carson

Senate District 14

- Senator Carson introduced HB 425 on behalf of Representative Lynne Ober, who was not present.

Dennis Goulet

Commissioner, Department of Information Technology (DOIT)

- Commissioner Goulet said that the technical committees and cybersecurity advisory committee have existed since 2016 through an Executive Order from Governor Hassan. He

said that, at the time, they were just learning about cybersecurity and wanted to inch along, while knowing it would be important to get the committees into statute eventually.

- Commissioner Goulet said that HB 425-FN takes a body already in existence and moves it into statute.
- Commissioner Goulet said that the Cybersecurity Advisory Committee (CAC) is an important venue for bringing forward new ways to protect data and vet them before going to the Information Technology Council for ratification.
- Commissioner Goulet said that there is no controversy at the agency level about these committees. He said that CAC has representatives from the legislature and judiciary.
- Senator Carson asked that HB 425-FN is looking to establish the committees from within DOIT.
 - Commissioner Goulet said that the committees already exist, but they want to move them from an Executive Order into statute for permanency.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml

Date Hearing Report completed: April 5, 2021

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB425 01

Support: 4 Oppose: 1 Neutral: 0 Total to Testify: 0

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testify</u>
Hope, Lucinda	lmhope46@gmail.com	Not Given	A Member of the Public	Myself	Support	No
Vogt, Robin	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Stevens, Representative Deb	debstevens4ward7@gmail.com	603.820.0866	An Elected Official	My 10K constituents	Support	No
Thomas, Elaine	Not Given	Not Given	An Elected Official	Myself	Support	No
Smith, Kathryn	Not Given	Not Given	A Member of the Public	Myself	Support	No

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # HB 425-FN

Hearing date: 3-31-21

Executive Session date: 4-28-21

Motion of: OTP Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Carson

Notes: _____

Committee Report

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 425-FN, establishing technical committees and a cybersecurity advisory committee in the department of information technology

Ought to Pass, Vote 4-0.

Senator Sharon Carson for the committee.

General Court of New Hampshire - Bill Status System

Docket of HB425

Docket Abbreviations

Bill Title: (New Title) establishing technical committees and a cybersecurity advisory committee in the department of information technology

Official Docket of HB425.:

Date	Body	Description
1/10/2021	H	Introduced (in recess of) 01/06/2021 and referred to Executive Departments and Administration HJ 2 P. 47
1/21/2021	H	Public Hearing: 02/01/2021 09:15 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/94106022547 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/9/2021	H	Committee Report: Ought to Pass with Amendment #2021-0027h (Vote 17-0; RC) HC 12 P. 20
2/24/2021	H	Amendment #2021-0027h : AA VV 02/24/2021 HJ 3 P. 52
2/24/2021	H	Ought to Pass with Amendment 2021-0027h: MA VV 02/24/2021 HJ 3 P. 52
2/24/2021	H	Referred to Finance 02/24/2021 HJ 3 P. 52
3/1/2021	H	Referral Waived by Committee Chair per House Rule 47(f) HJ 3
3/4/2021	S	Introduced 03/04/2021 and Referred to Executive Departments and Administration; SJ 7
3/17/2021	S	Remote Hearing : 03/31/2021, 09:20 am; Links to join the hearing can be found in the Senate Calendar; SC 16
4/28/2021	S	Committee Report: Ought to Pass, 05/06/2021; SC 22
5/6/2021	S	Ought to Pass : RC 23Y-0N, MA; OT3rdg; 05/06/2021; SJ 14
6/2/2021	S	Enrolled Adopted, VV, (In recess 05/27/2021); SJ 18
6/3/2021	H	Enrolled (in recess of) 06/03/2021
6/14/2021	H	Signed by Governor Sununu 06/10/2021; Chapter 72; Eff: 07/01/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 425-FN

Senate Committee: ED+A

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Joplin
Committee Aide

7/20/21
Date

Senate Clerk's Office AK