

LEGISLATIVE COMMITTEE MINUTES

HB1277

Bill as Introduced

HB 1277 - AS INTRODUCED

2022 SESSION

22-2820

11/10

HOUSE BILL

1277

AN ACT

relative to the reporting of cybersecurity incidents.

SPONSORS:

Rep. Somssich, Rock. 27; Rep. Meuse, Rock. 29; Rep. Hamblet, Rock. 31; Rep. Ward, Rock. 28

COMMITTEE:

Municipal and County Government

ANALYSIS

This bill defines "cybersecurity incident" and requires that political subdivisions report such incidents to 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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Two

AN ACT relative to the reporting of cybersecurity incidents.

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

1 1 New Section; Duties of Towns; Cybersecurity. Amend RSA 31 by inserting after section 103-a
2 the following new section:

3 31:103-b Cybersecurity. The governing body, or chief administrative officer or designee of any
4 political subdivision, who knows of or suspects a cybersecurity incident within such political
5 subdivision, or within any vendor acting as an agent of the political subdivision, shall immediately
6 report such incident, upon discovery, and shall disclose all known information and interactions to
7 the New Hampshire cyber integration center of the department of information technology. For
8 purposes of this section, "cybersecurity incident" means an occurrence that actually or potentially
9 jeopardizes the confidentiality, integrity, or availability of an information system or the information
10 processes, stores, or transmits, of that constitutes a violation or imminent threat of violation of
11 security policies, security procedures, or acceptable use policies.

12 2 Effective Date. This act shall take effect 60 days after its passage.

HB 1277 - AS AMENDED BY THE SENATE

04/21/2022 1421s

2022 SESSION

22-2820
11/10

HOUSE BILL **1277**

AN ACT relative to the reporting of cybersecurity incidents.

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- 5 subdivision's information systems, or within any vendor acting as an agent of the political
- 6 subdivision, shall immediately report such incident, upon discovery, and shall disclose all known
- 7 information and interactions to the New Hampshire cyber integration center of the department of
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- 9 that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information
- 10 system or the information processes, stores, or transmits, of that constitutes a violation or imminent
- 11 threat of violation of security policies, security procedures, or acceptable use policies.
- 12 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 190
HB 1277 - FINAL VERSION

04/21/2022 1421s

2022 SESSION

22-2820
11/10

HOUSE BILL **1277**

AN ACT relative to the reporting of cybersecurity incidents.

SPONSORS: Rep. Somssich, Rock. 27; Rep. Meuse, Rock. 29; Rep. Hamblet, Rock. 31; Rep. Ward, Rock. 28

COMMITTEE: Municipal and County Government

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CHAPTER 190
HB 1277 - FINAL VERSION

04/21/2022 1421s

22-2820
11/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the reporting of cybersecurity incidents.

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

1 190:1 New Section; Duties of Towns; Cybersecurity. Amend RSA 31 by inserting after section
2 103-a the following new section:

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4 political subdivision, who knows of or suspects a cybersecurity incident within the political
5 subdivision's information systems, or within any vendor acting as an agent of the political
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9 that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information
10 system or the information processes, stores, or transmits, of that constitutes a violation or imminent
11 threat of violation of security policies, security procedures, or acceptable use policies.

190:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 17, 2022
Effective Date: August 16, 2022

Amendments

Rep. Somssich, Rock. 27
January 13, 2022
2022-0101h
11/08

Amendment to HB 1277

1 Amend the bill by replacing section 1 with the following:

2

3 1 New Section; Duties of Towns; Cybersecurity. Amend RSA 31 by inserting after section 103-a
4 the following new section:

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Election Law and Municipal Affairs
April 12, 2022
2022-1421s
04/08

Amendment to HB 1277

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Committee Minutes

SENATE CALENDAR NOTICE

Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Regina Birdsell, Vice Chair
Sen Ruth Ward, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: March 17, 2022

HEARINGS

Monday	03/21/2022	
(Day)	(Date)	
Election Law and Municipal Affairs	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.	HB 1021	prohibiting regulation of religious land use based on the religious nature of the assembly or speech taking place on the land or in the structure.
1:15 p.m.	HB 1026	relative to budget information provided to a budget committee.
1:30 p.m.	HB 1122	authorizing municipalities to collect and resell construction and demolition debris.
1:45 p.m.	HB 1277	relative to the reporting of cybersecurity incidents.
2:00 p.m.	HB 1456-FN	relative to the Hampton marine memorial.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 1021

Rep. Wuelper

Rep. Gould

Rep. Ankarberg

HB 1026

Rep. Piemonte

HB 1122

Rep. Egan

Rep. Massimilla

Rep. Alexander Jr.

Rep. Weston

Sen. Hennessey

HB 1277

Rep. Somssich

Rep. Meuse

Rep. Hamblet

Rep. Ward

HB 1456-FN

Rep. Edgar

Rep. Shurtleff

Rep. Graham

Rep. Cleaver

Rep. Maggiore

Rep. Pantelakos

Rep. Grote

Sen. Sherman

Sen. Watters

Tricia Melillo 271-3077

James P. Gray
Chairman

Senate Election Law and Municipal Affairs Committee
Tricia Melillo 271-3077

HB 1277, relative to the reporting of cybersecurity incidents.

Hearing Date: March 21, 2022

Members of the Committee Present: Senators Gray, Birdsell, Ward, Soucy and Perkins Kwoka

Members of the Committee Absent : None

Bill Analysis: This bill defines "cybersecurity incident" and requires that political subdivisions report such incidents to the department of information technology.

Sponsors:

Rep. Somssich
Rep. Ward

Rep. Meuse

Rep. Hamblet

Who supports the bill: Senator Ruth Ward, Representative Peter Somssich, Representative Timothy Horrigan, Denis Goulet, Curtis Barry

Who opposes the bill: None

Summary of testimony presented in support:

Senator Gray introduced the bill for the prime sponsor, Representative Peter Somssich

Denis Goulet – Commissioner, NH Dept of Information Technology

- There has been an increasing number of serious cyber security incidents in our political subdivisions over the last couple of years.
- Statistics show that from 2020 – 2021, there was almost a doubling of reported incidents.
- What is concerning for him is that he would hear about ransomware incidents in the paper.
- The state is connected to the municipalities through the town clerks offices for motor vehicle and Department of Safety information.
- It is important for them to know about the incidents as soon as possible so they can help mitigate the risks to the state.
- They can also help town officials mitigate the damage to their systems.
- Cyber security incidents get worse the longer you wait to address them.
- Senator Soucy asked if this was a request from the department.
 - Mr. Goulet replied that it was.
- Senator Soucy asked if he could comment on the amendment from Representative Somssich.

- Mr. Goulet replied that the amendment was brought up in the House but was never added to the bill. He is in full support of the amendment as it catches a miss in the language where it is a little too broad.
- Senator Gray asked if they should wait to exec this as more information may be coming which would require changes.
 - Mr. Goulet replied that he heard there may be changes coming as well and he is fine with waiting.

Natch Greyes – NH Municipal Association

- They support the adoption of the amendment.
- They worked closely with Representative Somssich to clarify the language.

*Senator Gray asked Commissioner Goulet to reach out in two weeks to let the Committee know if he is ready to proceed.

Summary of testimony presented in opposition: None

TJM
Date Hearing Report completed: March 23, 2022

Speakers

Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill HB1277 on 2022
Support: 2 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Ward, Senator Ruth	An Elected Official	senate district 8	Support
Somssich, Rep. Peter	An Elected Official	Myself	Support

Voting Sheets

**Senate Election Law
& Municipal Affairs Committee**
EXECUTIVE SESSION RECORD
2022 Session

Bill **HB 1277**

Hearing date: 3/21/22

Executive Session date: 4/11/22

Motion of: OTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	X	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: 0101n Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RB DS M consent 5-0

Reported out by: Sen. PK

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Monday, April 11, 2022

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **HB 1277**

AN ACT relative to the reporting of cybersecurity incidents.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1421s

Senator Rebecca Perkins Kwoka
For the Committee

This bill as amended defines "cybersecurity incident" and requires that political subdivisions report such incidents to the Department of Information Technology. The state is electronically connected to municipalities through the Department of Safety and the Division of Motor Vehicles. As there have been an increasing number of cyber security incidents over the past two years, the sooner the Department becomes aware of them, the most likely that they can mitigate the risks to the state.

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of HB1277

Docket Abbreviations

Bill Title: relative to the reporting of cybersecurity incidents.*Official Docket of HB1277.:*

Date	Body	Description
11/19/2021	H	Introduced 01/05/2022 and referred to Municipal and County Government
1/13/2022	H	Public Hearing: 01/13/2022 1:30 p.m. LOB301-303
1/24/2022	H	Executive Session: 01/24/2022 10:00 a.m. LOB301-303
2/19/2022	H	Committee Report: Ought to Pass (Vote 19-0; CC)
3/11/2022	H	Ought to Pass: MA VV 03/10/2022 HJ 5
3/15/2022	S	Introduced 02/24/2022 and Referred to Election Law and Municipal Affairs; SJ 5
3/21/2022	S	Hearing: 03/21/2022, Room 100, SH, 01:45 pm; SC 12
4/12/2022	S	Committee Report: Ought to Pass with Amendment # 2022-1421s , 04/21/2022; Vote 5-0; CC; SC 16
4/21/2022	S	Committee Amendment # 2022-1421s , AA, VV; 04/21/2022; SJ 9
4/21/2022	S	Ought to Pass with Amendment 2022-1421s, MA, VV; OT3rdg; 04/21/2022; SJ 9
5/13/2022	H	House Concurs with Senate Amendment (Rep. Dolan): MA VV 05/12/2022 HJ 13
6/9/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); SJ 13
6/9/2022	H	Enrolled (in recess of) 05/26/2022
6/22/2022	H	Signed by Governor Sununu 06/17/2022; Chapter 190; 08/16/2022 HJ 14

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 1277 Senate Committee: ELMA

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)

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

Hearing Report

N/A 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 # 0101h - amendment # _____

- amendment # 1421s - 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:

Tricia Mello
Committee Aide

6/22/22
Date

Senate Clerk's Office

AK