

SB 90 C STAFF MEASURE SUMMARY

Carrier: Rep. Fahey

Joint Committee On Ways and Means**Action Date:** 05/26/17**Action:** Do Pass the C-Eng bill.**House Vote****Yeas:** 8 - Gomberg, Holvey, Huffman, Nathanson, Rayfield, Smith Warner, Stark, Williamson**Nays:** 1 - Whisnant**Exc:** 2 - McLane, Smith G**Senate Vote****Yeas:** 11 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Thomsen, Winters**Exc:** 1 - Steiner Hayward**Fiscal:** Fiscal impact issued**Revenue:** Has minimal revenue impact**Prepared By:** Sean McSpaden, Budget Analyst**WHAT THE MEASURE DOES:**

Requires state agencies and State Chief Information Officer (SCIO) to cooperatively develop and implement plan to consolidate information technology security functions with SCIO, including transfer of personnel, records and property. Requires state agencies to cooperate with SCIO security assessment and remediation program; follow unification instructions; conduct and document completion of specified training; report information and participate in activities as directed by SCIO.

Directs state agencies to retain unexpended funds designated for administration of functions being transferred. Authorizes SCIO to determine costs and collect payment from state agencies for information technology services for deposit into State Information Technology Operation Fund. Authorizes SCIO to enter into agreements and accept and deposit funds into State Information Technology Operation Fund as specified.

Establishes the Oregon Cybersecurity Advisory Council to advise SCIO on cybersecurity issues and to provide a forum for such issues to be discussed. Directs SCIO to develop plan for establishment of a Cyber Security Center of Excellence, describes required content within plan, and directs SCIO to submit plan to Legislative Assembly no later than January 1, 2019.

ISSUES DISCUSSED:

- Provisions of the measure
- Stakeholder support for the measure
- Effect of the amendment

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

SB 90 stems from Executive Order 16-13, which was implemented in response to recent information technology (IT) security audit findings, breaches and other vulnerabilities among state executive branch entities. The state's IT security functions are currently the responsibility of each independent agency, an approach that is criticized for creating an environment where one agency can be put at risk because of deficiencies at another. The measure directs the consolidation of IT security functions with the State Chief Information Officer according to timelines established within a plan the measure directs the State Chief Information Officer to develop.

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Oregon also lacks a mechanism to exchange cybersecurity information across political subdivisions, and with the private sector and other partners in an organized and useful way. The introduced measure, among other things, sought to create an Oregon Cybersecurity Center of Excellence (Center) within the office of the State Chief Information Officer to centralize cybersecurity information sharing between public and private sectors; serve as “Information Sharing and Analysis Organization” for purposes of federal critical infrastructure protection programs; act as liaison with Department of Homeland Security and other entities concerning cybersecurity; and promote development of cybersecurity workforce. As amended, the measure instead directs the State Chief Information Officer to develop a plan for establishment of the Center, describes required content within plan, and directs the State Chief Information Officer to submit the plan to the Legislative Assembly no later than January 1, 2019. Upon review of the plan in the 2018 and/or 2019 Legislative Session, the Legislature can then determine whether and, if so, in what timeframe to authorize the establishment of the Center.

The amendment to the measure declares an emergency and establishes an effective date of July 1, 2017 to align actions described in sections 1 and 2 of the measure with corresponding actions being taken within state agency budget bills that take effect on July 1, 2017.