

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1204

101ST GENERAL ASSEMBLY

2495H.02P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 650, RSMo, by adding thereto one new section relating to cybersecurity.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 650, RSMo, is amended by adding thereto one new section, to be  
2 known as section 650.125, to read as follows:

**650.125. 1. The provisions of this section shall be known and may be cited as the  
2 "Missouri Cybersecurity Act".**

**3 2. There is hereby established within the department of public safety the "Missouri  
4 Cybersecurity Commission". The commission shall have as its purpose identifying risk to  
5 and vulnerability of the state and critical infrastructure with regard to cyber attacks of any  
6 nature from within or outside the United States and advising the governor on such matters.  
7 The commission shall consist of the following members:**

**8 (1) Eight members to be appointed by the governor, one from each congressional  
9 district, with four members from each party;**

**10 (2) The state chief information officer as designated by the governor and  
11 commissioner of the office of administration;**

**12 (3) One representative of the Missouri state highway patrol, ex officio;**

**13 (4) One representative of the state emergency management agency, ex officio; and**

**14 (5) One representative of the Missouri national guard, ex officio.**

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**16 No more than five of the nine members appointed by the governor shall be of the same  
17 political party. To be eligible for appointment by the governor, a person shall have  
18 demonstrated expertise in cybersecurity or experience in a field that directly correlates to**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 a need of the state relating to cyber defense. The membership of the commission shall  
20 reflect both private sector and public sector expertise and experience in cybersecurity.  
21 Appointed members of the commission shall serve three-year terms, except that of the  
22 initial appointments made by the governor, three shall be for one-year terms, three shall  
23 be for two-year terms, and three shall be for three-year terms. No appointed member of  
24 the commission shall serve more than six years total. Any vacancy on the commission shall  
25 be filled in the same manner as the original appointment.

26 3. The members of the commission shall serve without compensation, but shall be  
27 reimbursed for the actual and necessary expenses incurred in the discharge of the  
28 members' official duties.

29 4. A chair of the commission shall be selected by the members of the commission.

30 5. The department of public safety shall furnish administrative support and staff  
31 for the effective operation of the commission.

32 6. The commission shall meet at least quarterly and at such other times as the chair  
33 deems necessary.

34 7. The commission shall be funded by an appropriation limited to that purpose.  
35 Any expenditure constituting more than ten percent of the commission's annual  
36 appropriation shall be based on a competitive bid process.

37 8. The commission shall:

38 (1) Advise the governor on the state of cybersecurity in the state of Missouri;

39 (2) Solicit data from state agencies, political subdivisions of the state, public  
40 institutions of higher education, and public schools relating to cybersecurity;

41 (3) Make recommendations to reduce the state's risk of cyber attack and to identify  
42 best practices for the state to work offensively against cyber threats.

43 9. State agencies, public institutions of higher education, and public schools shall  
44 provide any data requested by the commission under this section unless such information  
45 is protected from disclosure under chapter 610 or is required to be kept confidential under  
46 a code of ethics from a profession licensed in the state. The provisions of this section shall  
47 not be construed to compel private sector organizations to provide information or data to  
48 the commission.

49 10. The commission shall prepare and present an annual report to the governor by  
50 December thirty-first of each year. Any content from the report protected under section  
51 610.021, including any cybersecurity vulnerabilities identified by the commission, shall be  
52 held confidential.

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