

---

---

# A BILL FOR AN ACT

RELATING TO CYBERSECURITY.

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

1           SECTION 1. The legislature finds that the security and  
2 stability of our computer infrastructure, both public and  
3 private ("cybersecurity"), is critical to our state and national  
4 defense. Cyber attacks are the new reality of modern warfare,  
5 and national security experts have warned that the threat of a  
6 major cyber attack on our country is very real. Given that much  
7 of our critical infrastructure and security systems are  
8 controlled by computers, a successful cyber attack could result  
9 in property damage, serious physical injury, or even loss of  
10 human life.

11           The legislature further finds that while efforts are  
12 currently being made to pass federal cybersecurity legislation,  
13 our State must take a proactive approach rather than simply  
14 await further developments at the national level. We must act  
15 now, to ensure that Hawaii's public and private computer  
16 networks, which are responsible for day to day essential  
17 services such as electricity, telecommunications, transportation



1 systems, and emergency medical care, are not vulnerable to  
2 attack by our enemies at home and abroad. It is not a question  
3 of if Hawaii is attacked, but when.

4 Accordingly, the purpose of this Act is to establish a  
5 statewide cybersecurity council that will develop and maintain a  
6 public-private partnership to protect critical computer  
7 infrastructure, develop cybersecurity "best practices", report  
8 on its progress to the legislature, and cooperate with its  
9 future federal counterpart and/or any related federal entity, as  
10 appropriate.

11 SECTION 2. Title 10, Hawaii Revised Statutes, is amended  
12 by adding a new chapter to be appropriately designated and to  
13 read as follows:

14 "CHAPTER

15 CYBERSECURITY

16 § -1 Statewide cybersecurity council established;  
17 duties; reports. (a) There is established a statewide  
18 cybersecurity council within the department of defense for  
19 administrative purposes only. Members of the council shall be  
20 appointed no later than September 1, 2015, by the governor



1 without regard to section 26-34 and shall be composed of  
2 representatives appointed from the following entities:

- 3 (1) The department of defense;
- 4 (2) The department of commerce and consumer affairs;
- 5 (3) The department of health;
- 6 (4) The department of transportation;
- 7 (5) The University of Hawaii;
- 8 (6) The legislature; provided that the heads of the  
9 respective houses shall each appoint a member of its  
10 body to the council;
- 11 (7) The judiciary; provided that the chief justice shall  
12 appoint a representative of the judiciary to the  
13 council;
- 14 (8) The four counties; provided that the mayor of each  
15 respective county shall appoint a representative of  
16 their respective county to the council;
- 17 (9) The intelligence community;
- 18 (10) Sector-specific state agencies, as appropriate; and
- 19 (11) State agencies responsible for regulating the security  
20 of critical cyber infrastructure, as appropriate.



1           The head of the department of defense shall serve as chair  
2 of the council.

3           (b) No later than January 1, 2016, the council shall  
4 submit to the legislature a report of the council's  
5 identification and assessment of critical computer  
6 infrastructure, as well as recommendations on incentives that  
7 will encourage the relevant private sectors to voluntarily  
8 strengthen their computer infrastructure.

9           (c) No later than June 30, 2016, the council shall  
10 identify cybersecurity "best practices" after consultation with  
11 the affected private sectors and with input from the public.  
12 Such "best practices" shall include, but not be limited to,  
13 provisions that protect critical computer systems from physical  
14 and virtual harm, protect the privacy and security of data  
15 stored on such systems, and provide for monitoring and defense  
16 against cybersecurity threats and timely reporting of such  
17 threats to state and federal authorities.

18           (d) The council shall evaluate, on an annual basis, the  
19 efficacy of such cybersecurity "best practices", the extent to  
20 which the affected private sectors have voluntarily adopted such  
21 practices, and whether there is a need for additional incentives



1 to achieve voluntary compliance with such practices. The  
2 council shall report its findings annually to the legislature,  
3 no later than twenty days prior to the convening of the regular  
4 session of 2017 and each year thereafter.

5 (e) The council shall coordinate its cybersecurity efforts  
6 in conjunction with its equivalent federal counterpart and any  
7 related federal entity, as appropriate."

8 SECTION 3. This Act shall take effect on July 1, 2015.

9

INTRODUCED BY:

Gene Udel  
Tom Brown  
James S. King  
~~Al~~  
Larry M. Latta  
JAN 28 2015



# H.B. NO. 1279

**Report Title:**

Cybersecurity; Statewide Cybersecurity Council

**Description:**

Establishes a statewide cybersecurity council to identify and assess critical computer infrastructure and make annual recommendations to the legislature.

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

