



Ohio Legislative Service Commission

Final Analysis

Mackenzie Damon

Am. H.B. 331

129th General Assembly
(As Passed by the General Assembly)

- Reps.** Dovilla and Bubp, Patmon, J. Adams, Boose, Butler, Rosenberger, Stinziano, Landis, Conditt, Newbold, Brenner, Stebelton, Henne, Grossman, C. Hagan, Terhar, R. Adams, Anielski, Antonio, Baker, Barnes, Beck, Blair, Blessing, Buchy, Carney, Combs, Damschroder, Derickson, Gardner, Garland, Gerberry, Hackett, Hall, Hayes, Hill, Johnson, Letson, Luckie, Mallory, Matheney, McClain, Milkovich, O'Brien, Peterson, Pillich, Roegner, Rose, Sears, Slaby, Sprague, Szollosi, Uecker, Wachtmann, Winburn, Young, Batchelder
- Sens.** Schaffer, Balderson, Beagle, Burke, Coley, Faber, Hite, Hughes, Jones, Kearney, Lehner, Manning, Obhof, Oelslager, Peterson, Sawyer, Schiavoni, Tavares, Turner, Wagoner

Effective date: September 28, 2012

ACT SUMMARY

- Creates the Cybersecurity, Education, and Economic Development Council for the purpose of studying the state's cybersecurity operations and means of accelerating growth of the cybersecurity industry.
- Requires the Office of Information Security and Privacy Management in the Department of Administrative Services to provide staff and administrative support to the Council.
- Requires the Council to issue a report of its findings and recommendations to the Governor, Lieutenant Governor, and members of the General Assembly.

CONTENT AND OPERATION

The act creates the Cybersecurity, Education, and Economic Development Council.¹ The Council's duty is to study how the state's cybersecurity operations could

¹ R.C. 121.92(A).

be improved and how growth in the state's cybersecurity industry could be accelerated.² The Council must issue a report of its findings and recommendations to the Governor and Lieutenant Governor, the Speaker of the House and the President of the Senate, and the chairpersons of the legislative committees on economic development, education, and public safety by December 31, 2012.

The Council consists of 12 members. Eight members of the Council are appointed by the Governor as follows: one representative from each of the Department of Administrative Services, the Department of Public Safety's Division of Homeland Security, and the Department of Development, two representatives from institutions of higher education with cybersecurity-related programs, one representative from a community or technical college with cybersecurity-related programs, a liaison of the Adjutant General who is experienced in cybersecurity, and one representative from a nonprofit corporation who has a cybersecurity background.

The Speaker of the House and President of the Senate each must appoint two additional members who have a cybersecurity background. Members must elect a chairperson, who becomes a nonvoting member.

Members serve two-year terms and may be reappointed. Vacancies are filled in the same manner as original appointments, and a member appointed to fill a vacancy serves for the remainder of the previous member's term. Members are not compensated, except to the extent that serving on the Council is considered part of the member's regular employment duties.

Members must meet at least quarterly at the call of the chairperson. A majority of the voting members constitutes a quorum. Upon the Council's request, the Department of Administrative Services' Office of Information Security and Privacy Management must provide staff and administrative support for the Council.

The Council is subject to the state's "open meetings" law, which requires that meetings of a public body, with certain exceptions, be open to the public at all times and that minutes of such meetings be open to public inspection. One exception to this law allows public bodies to hold executive sessions to discuss the security arrangements and emergency response protocols of a public body. The act expands this exception for the purposes of Council meetings to allow the Council to hold executive sessions to discuss such matters in relation to any state or local government entity.

² According to *Merriam-Webster's* online dictionary, "cybersecurity" means "measures taken to protect a computer or computer system (as on the Internet) against unauthorized access or attack."

HISTORY

ACTION	DATE
Introduced	09-20-11
Reported, H. Economic & Small Business Development	01-31-12
Passed House (97-0)	03-13-12
Reported, S. Ways & Means & Economic Development	05-08-12
Passed Senate (31-0)	05-24-12
House concurred in Senate amendments (92-0)	06-12-12

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