



# Ohio Legislative Service Commission

## Bill Analysis

Sam Benham

### H.B. 331

129th General Assembly  
(As Introduced)

**Reps.** Dovilla and Bubp, Patmon, J. Adams, Boose, Butler, Rosenberger, Stinziano, Landis, Conditt, Newbold, Brenner, Stebelton, Henne

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## BILL 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 Directors of Administrative Services, Public Safety, Development, and JobsOhio to provide staff, administrative, and information assistance 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.

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## CONTENT AND OPERATION

The bill creates the Cybersecurity, Education, and Economic Development Council.<sup>1</sup> The Council's duty is to study how the state's cybersecurity operations could be improved and how growth in the state's cybersecurity industry could be accelerated.<sup>2</sup> 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

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<sup>1</sup> R.C. 121.92(A).

<sup>2</sup> 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."

of Administrative Services, the Department of Public Safety's Division of Homeland Security, the Department of Development or JobsOhio, 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 would serve two-year terms. Members 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.<sup>3</sup>

The bill authorizes the Council to request the assistance of other state offices and requires offices to provide requested assistance. Upon the Council's request, the Directors of Administrative Services, Public Safety, Development, and JobsOhio are required to provide staff and administrative support for the Council.

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## HISTORY

ACTION	DATE
Introduced	9-20-11

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<sup>3</sup> It is not clear whether 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. The open meetings law defines a public body as a "board, commission, committee, council, or similar decision-making body of a state agency, institution, or authority." If the Council should be considered to be subject to the open meetings law, it is not clear whether it could close its meetings to consider security arrangements under the law's existing security exception (R.C. 121.22(G)(6)).