

By: Capriglione

H.B. No. 1118

A BILL TO BE ENTITLED

AN ACT

relating to state agency and local government compliance with cybersecurity training requirements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.012 to read as follows:

Sec. 772.012. COMPLIANCE WITH CYBERSECURITY TRAINING REQUIREMENTS. (a) In this section, "local government" has the meaning assigned by Section 2054.003.

(b) To apply for a grant under this chapter, a local government must submit with the grant application a written certification of the local government's compliance with the cybersecurity training required by Section 2054.5191.

(c) On a determination by the criminal justice division established under Section 772.006 that a local government awarded a grant under this chapter has not complied with the cybersecurity training required by Section 2054.5191, the local government shall pay to this state an amount equal to the amount of the grant award. A local government that is the subject of a determination described by this subsection is ineligible for another grant under this chapter until the second anniversary of the date the local government is determined ineligible.

SECTION 2. The heading to Section 2054.5191, Government Code, is amended to read as follows:

1 Sec. 2054.5191. CYBERSECURITY TRAINING REQUIRED: CERTAIN
2 EMPLOYEES AND OFFICIALS.

3 SECTION 3. Sections 2054.5191(a-1) and (b), Government
4 Code, are amended to read as follows:

5 (a-1) At least once each year, a local government shall:

6 (1) identify local government employees and elected
7 and appointed officials who have access to a local government
8 computer system or database and use a computer to perform at least
9 25 percent of the employee's or official's required duties; and

10 (2) require the [~~those~~] employees and [~~elected~~]
11 officials identified under Subdivision (1) [~~of the local~~
12 ~~government~~] to complete a cybersecurity training program certified
13 under Section 2054.519 or offered under Section 2054.519(f).

14 (b) The governing body of a local government may select the
15 most appropriate cybersecurity training program certified under
16 Section 2054.519 or offered under Section 2054.519(f) for employees
17 and officials of the local government to complete. The governing
18 body shall:

19 (1) verify and report on the completion of a
20 cybersecurity training program by employees and officials of the
21 local government to the department; and

22 (2) require periodic audits to ensure compliance with
23 this section.

24 SECTION 4. Section 2056.002(b), Government Code, is amended
25 to read as follows:

26 (b) The Legislative Budget Board and the governor's office
27 shall determine the elements required to be included in each

1 agency's strategic plan. Unless modified by the Legislative Budget
2 Board and the governor's office, and except as provided by
3 Subsection (c), a plan must include:

4 (1) a statement of the mission and goals of the state
5 agency;

6 (2) a description of the indicators developed under
7 this chapter and used to measure the output and outcome of the
8 agency;

9 (3) identification of the groups of people served by
10 the agency, including those having service priorities, or other
11 service measures established by law, and estimates of changes in
12 those groups expected during the term of the plan;

13 (4) an analysis of the use of the agency's resources to
14 meet the agency's needs, including future needs, and an estimate of
15 additional resources that may be necessary to meet future needs;

16 (5) an analysis of expected changes in the services
17 provided by the agency because of changes in state or federal law;

18 (6) a description of the means and strategies for
19 meeting the agency's needs, including future needs, and achieving
20 the goals established under Section 2056.006 for each area of state
21 government for which the agency provides services;

22 (7) a description of the capital improvement needs of
23 the agency during the term of the plan and a statement, if
24 appropriate, of the priority of those needs;

25 (8) identification of each geographic region of this
26 state, including the Texas-Louisiana border region and the
27 Texas-Mexico border region, served by the agency, and if

1 appropriate the agency's means and strategies for serving each
2 region;

3 (9) a description of the training of the agency's
4 contract managers under Section [656.052](#);

5 (10) an analysis of the agency's expected expenditures
6 that relate to federally owned or operated military installations
7 or facilities, or communities where a federally owned or operated
8 military installation or facility is located;

9 (11) an analysis of the strategic use of information
10 resources as provided by the instructions prepared under Section
11 [2054.095](#); ~~and~~

12 (12) a written certification of the agency's
13 compliance with the cybersecurity training required under Sections
14 [2054.5191](#) and [2054.5192](#); and

15 (13) other information that may be required.

16 SECTION 5. (a) Section 772.012, Government Code, as added
17 by this Act, applies only to a grant application submitted by a
18 local government on or after September 1, 2021.

19 (b) Section [2056.002](#)(b), Government Code, as amended by
20 this Act, applies only to a strategic plan submitted by a state
21 agency on or after January 1, 2022.

22 SECTION 6. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section [39](#), Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2021.