

20102045D

**HOUSE BILL NO. 957**

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.4, consisting of sections numbered 2.2-5515 through 2.2-5518, relating to the Virginia Cyber Initiative Act.*

Patrons—Ayala, Carter, Davis and Samirah

Referred to Committee on Communications, Technology and Innovation

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 55.4, consisting of sections numbered 2.2-5515 through 2.2-5518, as follows:**

**CHAPTER 55.4.****VIRGINIA CYBER INITIATIVE ACT.****§ 2.2-5515. Virginia Cyber Initiative; creation; powers and duties.**

Unless otherwise provided by law, the Virginia Information Technologies Agency (VITA) in consultation with public and private institutions of higher education, state agencies, and businesses in the Commonwealth shall establish a cyber alliance to be known as the Virginia Cyber Initiative (the Initiative) to support collaboration for the purpose of improving cybersecurity and the economy of the Commonwealth through (i) improving cyber infrastructure, (ii) increasing the focus on cyber job-creating research activities, and (iii) expanding cyber job-creating research activities toward producing more knowledge-based and high-technology cyber jobs in the Commonwealth.

**§ 2.2-5516. Areas of collaboration.**

The Virginia Cyber Initiative shall:

1. Identify specific fields where scientific research and innovation may contribute to the creation and growth of knowledge-based and high-technology cyber jobs in the Commonwealth;
2. Determine specific fields in which financial investment and engagement from state agencies or private businesses located in the Commonwealth could be enhanced or increased if resources were made available to assist in developing a robust cybersecurity infrastructure;
3. Advise public and private institutions of higher education of the cyber-related talents needs of businesses in the Commonwealth;
4. Improve the exchange of information and workforce collaboration for the mutual benefit of public and private institutions of higher education, state agencies, and businesses in the Commonwealth;
5. Encourage collaborations between businesses and public and private institutions of higher education in the areas of research identified by the Initiative;
6. Recommend public funding in cyber infrastructure for the reduction of cyber risks and enhancement of economic development opportunities;
7. Hold an annual cyber summit to engage business representatives and academia;
8. Facilitate economic development activities relating to cybersecurity;
9. Pursue funding from public and private sources to facilitate the work of the Initiative;
10. Facilitate outreach to rural communities and localities; and
11. Provide operational cyber support for state agencies and businesses in the Commonwealth by (i) implementing enhanced cyber threat assessment and mitigation capability; (ii) assessing the cyber networks and infrastructure of the Commonwealth; (iii) providing best practices and professional development training for persons employed in the cybersecurity field; (iv) assisting with responses to critical cyber incidents in the Commonwealth; (v) developing apprenticeship programs related to cybersecurity; and (vi) fostering collaboration with the Secretaries of Administration and Public Safety and Homeland Security for the ongoing improvement of cybersecurity efforts across government entities.

**§ 2.2-5517. Contracts.**

A. In order to assist the Initiative in achieving the objectives identified in this chapter, VITA may contract with any person or entity recommended by the Initiative for activities consistent with the purpose of this chapter.

B. When contracting with a person or an entity under this section, VITA shall not be bound by the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) if compliance with the Act creates a security risk.

**§ 2.2-5518. Virginia Cyber Initiative Fund.**

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Cyber Initiative Fund, referred to in this section as "the Fund." The Fund shall be established on the

59 *books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants,*  
60 *bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the*  
61 *Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any*  
62 *moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert*  
63 *to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the*  
64 *purposes of improving cybersecurity and the economy of the Commonwealth through (i) improving cyber*  
65 *infrastructure, (ii) increasing the focus on cyber job-creating research activities, and (iii) expanding*  
66 *cyber-job creating research activities toward producing more knowledge-based and high-technology*  
67 *cyber jobs in the Commonwealth. Expenditures and disbursements from the Fund shall be made by the*  
68 *State Treasurer on warrants issued by the Comptroller upon written request signed by the Chief*  
69 *Information Officer of the Commonwealth.*