

1 State of Arkansas As Engrossed: S4/3/19 H4/5/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

SENATE BILL 632

4

5 By: Senators J. English, Irvin, J. Hendren

6 By: Representative S. Meeks

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For An Act To Be Entitled

9 AN ACT TO AUTHORIZE THE ARKANSAS ECONOMIC DEVELOPMENT
10 COMMISSION TO SUPPORT A CYBER ALLIANCE IN ORDER TO
11 REDUCE CYBER RISKS AND ENCOURAGE ECONOMIC
12 DEVELOPMENT; AND FOR OTHER PURPOSES.

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14

15

Subtitle

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code Title 25, Chapter 26, is amended to add an
25 additional subchapter to read as follows:

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Subchapter 3 – Arkansas Cyber Initiative Act

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28

25-26-301. Title.

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This act shall be known and may be cited as the "Arkansas Cyber
30 Initiative Act".

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25-26-302. Legislative intent.

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The General Assembly finds that:

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(1) Malicious cyber activity continues to grow rapidly;

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(2) Critical infrastructure and state networks are primary

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targets for hackers, including transnational organized crime and national



1 state actors;

2 (3) Arkansas is home to national and global private sector
3 companies that are considerable targets in the financial services, food and
4 supply chain, and electric grid sectors;

5 (4) As the private sector owns and operates the vast majority of
6 the critical infrastructure in the United States, including Arkansas, it is
7 critical that a cyber-capability response involve private sector companies;

8 (5) The Arkansas Cyber Initiative will be part of the newly
9 formed American Cyber Alliance and will develop cyber capacity in Arkansas
10 with regard to innovation, workforce development, and intelligence and
11 operations; and

12 (6) The Arkansas Cyber Initiative will help mitigate cyber risks
13 in Arkansas, develop educational best practices, provide enhanced threat
14 assessment and response capabilities for public and private sectors in
15 Arkansas, and advance opportunities for economic development in Arkansas.

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17 25-26-303. Arkansas Cyber Initiative – Creation – Powers and duties.

18 Unless otherwise provided by law, the Arkansas Economic Development
19 Commission may work with universities, colleges, government agencies, and the
20 private business sector to establish a cyber alliance to be known as the
21 "Arkansas Cyber Initiative" that will support collaborations for the purpose
22 of improving cyber security and the economy of the state through:

23 (1) Improving cyber infrastructure;

24 (2) Increasing the focus on cyber job-creating research
25 activities; and

26 (3) Expanding cyber job-creating research activities toward
27 producing more knowledge-based and high-technology cyber jobs in this state.

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29 25-26-304. Areas of collaboration.

30 The Arkansas Cyber Initiative may:

31 (1) Identify specific areas where scientific research and
32 innovation may contribute to the creation and growth of knowledge-based and
33 high-technology cyber jobs in Arkansas;

34 (2) Determine specific areas in which financial investment and
35 engagement from government agencies or private businesses located in Arkansas
36 could be enhanced or increased if resources were made available to assist in

1 developing a robust cyber security infrastructure;

2 (3) Advise universities of the cyber-related talent needs of
3 Arkansas businesses;

4 (4) Improve the exchange of innovation and workforce
5 collaboration for the mutual benefit of universities, government agencies,
6 and private businesses;

7 (5) Encourage collaborations between private businesses or
8 private business sector representatives and universities in the areas of
9 research identified by the alliance;

10 (6) Recommend government investments in cyber infrastructure for
11 the reduction of cyber risks and enhancement of economic development
12 opportunities;

13 (7) Hold an annual cyber summit to engage corporate leadership
14 and academia;

15 (8) Facilitate economic development activities relating to cyber
16 security;

17 (9) Pursue funding from public and private sources to facilitate
18 the work of the initiative;

19 (10) Facilitate outreach to rural communities and
20 municipalities; and

21 (11) Provide operational cyber support for government agencies
22 and private business located in Arkansas by:

23 (A) Implementing enhanced cyber threat assessment and
24 mitigation capability at unclassified and classified levels;

25 (B) Assessing the cyber networks and infrastructure of
26 this state;

27 (C) Providing best practices and professional development
28 training for people employed in cyber security;

29 (D) Assisting with responses to critical cyber incidents
30 in this state;

31 (E) Developing uncleared and cleared apprenticeship
32 programs related to cyber security; and

33 (F) Fostering collaboration with the State Cyber Security
34 Office for the ongoing improvement of cybersecurity efforts across government
35 entities.

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1 25-26-305. Contracts on behalf of the Arkansas Cyber Initiative.

2 (a) In order to assist the Arkansas Cyber Initiative in achieving the
3 objectives identified in this subchapter, the Arkansas Economic Development
4 Commission may contract with a person or an entity recommended by the
5 initiative for activities consistent with the purpose of this subchapter.

6 (b) When contracting with a person or an entity under this subchapter,
7 the commission shall not be bound by the provisions of the Arkansas
8 procurement law requiring competitive bids if compliance with the procurement
9 law creates a security risk.

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11 25-26-306. Freedom of Information Act of 1967 – Exemption.

12 The Arkansas Cyber Initiative is exempt from complying with the Freedom
13 of Information Act of 1967, § 25-19-101 et seq. if compliance with the act
14 creates a security risk.

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16 SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 4, is amended
17 to add an additional section to read as follows:

18 19-6-840. Arkansas Cyber Initiative Fund.

19 (a) There is created on the books of the Treasurer of State, the
20 Auditor of State, and the Chief Fiscal Officer of the State a special revenue
21 fund to be known as the “Arkansas Cyber Initiative Fund”.

22 (b) The fund shall consist of:

23 (1) All moneys appropriated to the fund by the General Assembly;
24 and

25 (2) Any gifts, contributions, grants, or bequests received from
26 federal, private, or other sources.

27 (c) The fund shall be used by the Arkansas Economic Development
28 Commission for the purposes set out in the Arkansas Cyber Initiative Act, §
29 25-26-301 et seq.

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32 */s/J. English*

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35 **APPROVED: 4/17/19**