

Stricken language would be deleted from and underlined language would be added to present law.

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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## 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.

10  
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*