

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

SENATE BILL 632

5 By: Senators J. English, Irvin, J. Hendren  
6

## For An Act To Be Entitled

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

14 TO AUTHORIZE THE ARKANSAS ECONOMIC  
15 DEVELOPMENT COMMISSION TO SUPPORT A CYBER  
16 ALLIANCE IN ORDER TO REDUCE CYBER RISKS  
17 AND ENCOURAGE ECONOMIC DEVELOPMENT.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 25, Chapter 26, is amended to add an  
24 additional subchapter to read as follows:

25 Subchapter 3 – Arkansas Cyber Initiative Act

26  
27 25-26-301. Title.

28 This act shall be known and may be cited as the "Arkansas Cyber  
29 Initiative Act".  
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31 25-26-302. Legislative intent.

32 The General Assembly finds that:

33 (1) Malicious cyber activity continues to grow rapidly;

34 (2) Critical infrastructure and state networks are primary  
35 targets for hackers, including transnational organized crime and national  
36 state actors;



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

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

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

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

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16           25-26-303. Arkansas Cyber Initiative – Creation – Powers and duties.

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

22           (1) Improving cyber infrastructure;

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

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

27  
28           25-26-304. Areas of collaboration.

29           The Arkansas Cyber Initiative may:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30                   (E) Developing uncleared and cleared apprenticeship  
31 programs related to cyber security.

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33           25-26-305. Contracts on behalf of the Arkansas Cyber Initiative.

34           (a) In order to assist the Arkansas Cyber Initiative in achieving the  
35 objectives identified in this subchapter, the Arkansas Economic Development  
36 Commission may contract with a person or an entity recommended by the

1 initiative for activities consistent with the purpose of this subchapter.

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

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7 25-26-306. Freedom of Information Act of 1967 – Exemption.

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

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

14 19-6-840. Arkansas Cyber Initiative Fund.

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

18 (b) The fund shall consist of:

19 (1) All moneys appropriated to the fund by the General Assembly;  
20 and

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

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