
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

SB 892 (Hurtado) - Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector

Version: March 22, 2022
Urgency: No
Hearing Date: April 18, 2022

Policy Vote: G.O. 9 - 0
Mandate: No
Consultant: Janelle Miyashiro

Bill Summary: SB 892 requires the Office of Emergency Services (OES) to develop and enact optional reporting guidelines for companies and cooperatives in the food and agriculture and the water and wastewater management systems industries when they identify a significant and verified cyber threat or active cyberattack; and requires the OES and the California Cybersecurity Integration Center to prepare and submit reports on a strategic multiyear plan that focuses on ways to assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity, as specified.

Fiscal Impact: The OES estimates first year costs of approximately \$2,789,000 and ongoing annual costs of approximately \$2,996,000 (General Fund). Costs include expenses for additional staff, training, tools, and other software.

Background: Initially established by Executive Order B-34-15 in 2015, the California Cybersecurity Integration Center (Cal-CSIC) was codified in statute by AB 2813 (Irwin, Chapter 557, Statutes of 2018). The Cal-CSIC coordinates the state's cybersecurity activities and information sharing with federal and other state government entities. Four partners comprise the core of Cal-CSIC: the OES, the California Department of Technology (CDT), the California Highway Patrol (CHP), and the California Military Department (CMD). The OES serves as the administrative entity for Cal-CSIC, employing the Cal-CSIC Commander and Deputy Commander; CDT assesses cybersecurity policy and protocols in the event of a cyberattack; CHP looks into cybercrimes affecting the state's assets; and CMD assess potential cyber threats and vulnerabilities across state entities.

Proposed Law:

- Requires the OES to develop and enact optional reporting guidelines for companies and cooperatives in the food and agriculture and the water and wastewater management systems industries when they identify a significant and verified cyber threat or active cyberattack. In drafting the reporting guidelines, requires the OES to consider:
 - A holistic view of these industries.
 - A suggested reporting timeline encouraging the affected actor to report a significant and verified cyber threat or attack within 30 days of discovery.

- A suggested guideline that the affected actor send a report to the OES, the Cal-CSIC, the CDT, and the State Threat Assessment Center.
- Guidelines on the content for a report of a cyber threat or attack, including details on the structure of the threat or attack, any individuals or groups at risk of being affected, and any actions taken or planned upcoming action to combat or mitigate the threat or attack.
- Requires the OES to direct the Cal-CSIC to prepare a strategic multiyear outreach plan that focuses on ways to assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity, which includes:
 - A description of the need for greater cybersecurity, the goal of the outreach plan, methods for coordinating with other state agencies, nonprofit organizations, and associations, an estimate of the funding needed to execute the outreach plan, potential funding sources, and a plan to evaluate the success of the plan.
- Requires the OES to submit the outreach plan to the Legislature by January 1, 2024.
- Requires the OES to direct the Cal-CSIC to evaluate options for providing entities in the food and agriculture sector and the water and wastewater sector with grants or alternative forms of funding to improve cybersecurity. Requires the OES to submit a report to the Legislature on the evaluation by January 1, 2024. Requires the report to include:
 - A summary of the evaluation by Cal-CSIC, the specific grants and forms of funding for improved cybersecurity, and potential voluntary actions that do not require funding.
- Repeals the reporting requirements on January 1, 2028.
- Specifies that the water and wastewater sector is not required to submit vulnerability assessments, emergency response plans, or other related documents to the state.
- States legislative findings and declarations.

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