

- 1 (h) "Department" means the Kansas department of revenue.
- 2 (i) "Executive branch agency" means any agency in the executive  
3 branch of the state of Kansas, but shall not include elected office agencies  
4 or regents' institutions.
- 5 (j) "Local governmental entity" means any department, division,  
6 bureau, commission, regional planning agency, board, district, authority,  
7 agency or other instrumentality of this state that acquires, maintains, stores  
8 or uses data in electronic form containing personal information.
- 9 (h) (1) "Personal information" means either of the following:
- 10 (A) An individual's first name or first initial and last name, in  
11 combination with at least one of the following data elements for that  
12 individual:
- 13 (i) Social security number;
- 14 (ii) drivers' license or identification card number, passport number,  
15 military identification number or other similar number issued on a  
16 government document used to verify identity;
- 17 (iii) financial account number or credit or debit card number, in  
18 combination with any security code, access code or password that is  
19 necessary to permit access to an individual's financial account;
- 20 (iv) any information regarding an individual's medical history, mental  
21 or physical condition or medical treatment or diagnosis by a health care  
22 professional; or
- 23 (v) an individual's health insurance policy number or subscriber  
24 identification number and any unique identifier used by a health insurer to  
25 identify the individual; or
- 26 (B) a user name or e-mail address, in combination with a password or  
27 security question and answer that would permit access to an online  
28 account.
- 29 (2) Personal information shall not include information:
- 30 (A) About an individual that has been made publicly available by a  
31 federal, state or local governmental entity; or
- 32 (B) that is encrypted, secured or modified by any other method or  
33 technology that removes elements that personally identify an individual or  
34 that otherwise renders the information unusable.
- 35 New Sec. 3. (a) There is hereby established within and as a part of the  
36 office of information technology services the position of executive branch  
37 chief information security officer. The CISO shall be in the unclassified  
38 service under the Kansas civil service act, shall be appointed by the  
39 governor and shall receive compensation in an amount fixed by the  
40 governor.
- 41 (b) The CISO shall:
- 42 (1) Report to the executive chief information technology officer;
- 43 (2) serve as the state's CISO;

- 1 (3) serve as the executive branch chief cybersecurity strategist and
- 2 authority on policies, compliance, procedures, guidance and technologies
- 3 impacting executive branch agency cybersecurity programs;
- 4 (4) ensure cybersecurity training programs are provided for executive
- 5 branch agencies;
- 6 (5) ensure compliance with local policy and applicable regulatory
- 7 authority for background investigations of personnel resources assigned in
- 8 support of executive branch agencies;
- 9 (6) ensure compliance with cybersecurity policies established by the
- 10 Kansas information technology executive council pursuant to K.S.A. 2016
- 11 Supp. 75-7203, and amendments thereto, as well as applicable federal
- 12 standards for resources assigned or provided;
- 13 (7) ensure any executive branch agency is provided an opportunity to
- 14 discuss cultural fit and qualifications of assigned security resources;
- 15 (8) ensure Kansas information security office personnel resources
- 16 assigned to executive branch agencies are protected from retribution for
- 17 reporting violations;
- 18 (9) coordinate cybersecurity efforts between executive branch
- 19 agencies, state information resources and local governmental entities;
- 20 (10) have authority to:
- 21 (A) Oversee executive branch agency cybersecurity plans for
- 22 information technology projects;
- 23 (B) halt executive branch agency information technology projects or
- 24 information systems that are not compliant with approved cybersecurity
- 25 plans;
- 26 (C) conduct ad hoc security assessments of executive branch agency
- 27 information systems and internal information technology operating
- 28 environments;
- 29 (D) suspend public access to executive branch agency information
- 30 resources where compromise of restricted use information or computer
- 31 resources has occurred or is likely to occur as the result of an identified
- 32 high risk vulnerability or threat;
- 33 (E) disburse state cybersecurity funds and cybersecurity state grant
- 34 funds; and
- 35 (F) hire, promote, suspend, demote, discipline and dismiss all
- 36 executive branch cybersecurity positions; and
- 37 (11) perform such other functions and duties as provided by law and
- 38 as directed by the executive chief information technology officer or the
- 39 governor.

40 New Sec. 4. (a) There is hereby established within and as a part of the  
41 office of information technology services the Kansas information security  
42 office. The Kansas information security office shall be administered by the  
43 CISO and be staffed appropriately to effect the provisions of the Kansas

(c) the CISO shall adopt rules and regulations pertaining to the following areas:  
(1) Development of a standard cybersecurity ratings framework for agencies and the state of Kansas. In developing this standard, the CISO shall utilize, to the extent practicable, the cybersecurity framework developed by the national institute of standards and technology; and  
(2) providing for a process by which agencies can appeal security determinations made by the CISO.