

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;

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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 to develop a standard cybersecurity rating 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.