

1 AN ACT relating to the KentuckyCYBER Program and making an appropriation
2 therefor.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) As used in Sections 1 to 3 of this Act:*

7 *(a) "Board" means the KentuckyCYBER Governing Board established in*
8 *Section 2 of this Act;*

9 *(b) "Council" means the Council on Postsecondary Education;*

10 *(c) "Fund" means the KentuckyCYBER fund established in Section 3 of this*
11 *Act;*

12 *(d) "Participating institution" means an institution within the postsecondary*
13 *education system or an institution licensed by the council that chooses to*
14 *participate in the KentuckyCYBER program;*

15 *(e) "Postsecondary education system" has the same meaning as in KRS*
16 *164.001; and*

17 *(f) "Program" means the KentuckyCYBER Program established in subsection*
18 *(2) of this section.*

19 *(2) The KentuckyCYBER Program is hereby created and established within the*
20 *Council on Postsecondary Education for administrative purposes.*

21 *(3) The purpose of the KentuckyCYBER Program shall be to:*

22 *(a) Create a network of cyber centers across the Commonwealth;*

23 *(b) Facilitate cooperation among Kentucky public and private universities,*
24 *public elementary and secondary education facilities, and businesses to*
25 *create a secure cyberinfrastructure;*

26 *(c) Educate state and local agencies and private sector participants about how*
27 *to maintain secure cyberinfrastructure;*

- 1 (d) Create an innovation ecosystem for military, law enforcement, state, federal,
2 and local government, education, and private sector companies;
- 3 (e) Develop nonacademic, industry-based credentialing and training programs
4 to provide reskilling and upskilling across the state to complement academic
5 programs and provide the workforce needed to meet cybersecurity
6 challenges; and
- 7 (f) Accelerate the adoption of cybersecurity systems in the state by combining
8 the assets of higher education, state and federal agencies, and private
9 companies.
- 10 (4) The council shall determine the terms, conditions, and requirements of
11 applications submitted under Section 3 of this Act. The council may establish
12 procedures and standards for the review and approval of eligible grant awards
13 through the promulgation of administrative regulations in accordance with KRS
14 Chapter 13A.
- 15 (5) The president of the council shall have the authority to hire staff, contract for
16 services, expend funds, and operate the normal business activities of the program.
- 17 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
18 READ AS FOLLOWS:
- 19 (1) The KentuckyCYBER Governing Board is hereby created and attached to the
20 council.
- 21 (2) The board shall be composed of the president or designee of any participating
22 institution. A private or public institution that chooses to participate in the
23 program shall submit a letter of intent to the president of the council and tender a
24 copy of the letter to the Legislative Research Commission.
- 25 (3) The chair of the board shall be chosen by a majority of members present at the
26 first meeting. Determinations of the board shall require a vote of a majority of the
27 members present.

1 (4) The board shall meet at least quarterly, and may meet more frequently upon the
2 call of the chair.

3 (5) The duties of every participating institution shall include but not be limited to:

4 (a) Training and upskilling a workforce to provide cybersecurity solutions for
5 Kentucky businesses, state and local government, and federal, state, and
6 local law enforcement;

7 (b) Providing cybersecurity resources, including but not limited to cyber ranges
8 and incident response teams, to assist state and local government, major
9 economic sectors including healthcare and manufacturing, and critical
10 infrastructure systems operators throughout Kentucky;

11 (c) Enhancing economic development through cybersecurity initiatives that
12 serve major economic sectors of Kentucky;

13 (d) Creating a cyber-innovation ecosystem for state and federal government,
14 law enforcement, the private sector, and K-12 and higher education
15 institutions to innovate rapidly and strengthen Kentucky's cybersecurity
16 defenses with a qualified workforce;

17 (e) Establishing cybersecurity research centers and provide support to build the
18 research capacity necessary to successfully compete for projects funded by
19 the federal government and private industry participants; and

20 (f) Providing nonpartisan cybersecurity advice and recommendations to
21 Kentucky policymakers.

22 (6) Nothing in Sections 1 to 3 of this Act shall require any postsecondary education
23 system institution or private institution not participating in the KentuckyCYBER
24 Program to cooperate with the board in carrying out the provisions of subsection
25 (5) of this section.

26 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
27 READ AS FOLLOWS:

- 1 (1) There is hereby created a trust and agency fund to be known as the
2 KentuckyCYBER fund. The fund shall consist of moneys appropriated by the
3 General Assembly, contributions, gifts, or grants made available for the purposes
4 set forth in subsection (5) of Section 2 of this Act. Any allocations made to a
5 participating institution from this fund shall be excluded from the comprehensive
6 funding model established in KRS 164.092.
- 7 (2) The fund shall be administered by the council subject to approval by the board.
- 8 (3) Amounts deposited in the fund shall be allocated based on the application by a
9 participating institution to the council and subject to approval by the board.
- 10 (4) Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of
11 the fiscal year shall not lapse but shall be carried forward to the next fiscal year.
- 12 (5) Any interest earnings of the fund shall become a part of the fund and shall not
13 lapse.
- 14 (6) Moneys deposited in the fund are hereby appropriated for the purposes set forth
15 in subsection (5) of Section 2 of this Act and shall not be appropriated or
16 transferred by the General Assembly for any other purpose. Any moneys provided
17 to a specific university or community college shall not be included in the fund.
- 18 (7) Any state or federal funds appropriated or other monies granted to a participating
19 institution for enhancement of other cyber security programs shall not be subject
20 to the provisions of this section.