

2020 Regular Session

SENATE BILL NO. 79

BY SENATOR ABRAHAM

FUNDS/FUNDING. Creates the Louisiana Cybersecurity Talent Initiative Fund for the purpose of funding degree and certificate programs in cybersecurity fields and the Cybersecurity Education Management Council to advise relative to the fund. (8/1/20)

1 AN ACT
2 To enact R.S. 17:3138.9 and R.S. 36:651(G)(9), relative to special treasury funds; to
3 establish the Louisiana Cybersecurity Talent Initiative Fund as a special fund in the
4 state treasury; to provide for the purpose of the fund; to provide for appropriations
5 to the fund and distributions from the fund; to create and provide for the
6 Cybersecurity Education Management Council under the auspices of the Board of
7 Regents to advise and make recommendations to the board relative to fund
8 distributions; to require the board to report to the legislature with respect to the fund;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3138.9 is hereby enacted to read as follows:

12 **§3138.9. Louisiana Cybersecurity Talent Initiative Fund; Cybersecurity**
13 **Education Management Council**

14 **A.(1) The Louisiana Cybersecurity Talent Initiative Fund, referred to**
15 **in this Section as the "fund", is hereby created within the state treasury as a**
16 **special fund for the purpose of funding degree and certificate programs in**
17 **cybersecurity fields offered by public postsecondary education institutions in**

1 order to meet the state's workforce needs.

2 (2) Any money donated to the fund or appropriated to the fund by the
3 legislature shall be deposited in the fund. Monies in the fund shall be invested
4 in the same manner as monies in the general fund. Interest earned on
5 investment of monies in the fund shall be credited to the fund. Unexpended and
6 unencumbered monies in the fund at the end of the fiscal year shall remain in
7 the fund.

8 (3) Monies in the fund shall be appropriated to the Board of Regents to
9 be distributed to public postsecondary education institutions.

10 (4) The funds distributed pursuant to this Section shall be used by the
11 institutions for expansion of cybersecurity programs. Any funds distributed to
12 an institution that remain unexpended or unobligated at the end of the fiscal
13 year shall be available for use in the subsequent fiscal year by an institution for
14 such purpose.

15 (5) Funding shall be distributed by the Board of Regents to the public
16 postsecondary education management boards only upon the certification by
17 such a board, on behalf of the receiving institution, that a match of no less than
18 twenty-five percent of the amount of funding to be distributed has been
19 guaranteed by a private entity. The certification shall detail the type of private
20 match to be provided, which may include but is not limited to cash; in-kind
21 donations of technology, personnel, construction materials, facility modification,
22 or corporeal property; internships; scholarships; sponsorship of staff or faculty;
23 or faculty endowment.

24 (6) The fund is in addition to, and separate from, monies appropriated
25 or allocated to any public postsecondary education management board.
26 Allocations from the fund shall not be included in the Board of Regents' funding
27 formula calculation, nor shall they supplant any state general fund allocations
28 to institutions. The availability of the fund shall not in any way substitute, limit,
29 or otherwise affect the allocation of any funds otherwise available to those

1 institutions under state or federal laws.

2 B.(1) The Cybersecurity Education Management Council, referred to
3 in this Section as the "council", is hereby created under the auspices of the
4 Board of Regents for the purpose of advising and making recommendations to
5 the board with respect to distributions from the fund.

6 (2) The council annually shall review the list of degree and certificate
7 programs upon which the distribution is based and the final distribution
8 amounts.

9 (3)(a) The council membership shall be as follows, and any member
10 selecting a designee shall select the designee from his respective system, agency,
11 office, or association, as applicable:

12 (i) Two members appointed by the governor.

13 (ii) The commissioner of higher education or his designee.

14 (iii) A representative of the state Department of Education with
15 expertise in science, technology, engineering, and mathematics education
16 appointed by the state superintendent of education.

17 (iv) The president of the Louisiana Chemical Association or his designee.

18 (v) The president of the Louisiana State University System or his
19 designee.

20 (vi) The president of the Southern University System or his designee.

21 (vii) The president of the University of Louisiana System or his designee.

22 (viii) The president of the Louisiana Community and Technical College
23 System or his designee.

24 (ix) The secretary of the Louisiana Workforce Commission or his
25 designee.

26 (x) The secretary of the Louisiana Department of Economic
27 Development or his designee.

28 (b) A vacancy in the membership of the council shall be filled in the
29 same manner as the original appointment.

1 (c) The members of the council shall elect a chairman, vice chairman,
 2 and other officers as they consider necessary.

3 (d) The members of the council shall serve without compensation, but
 4 they shall be reimbursed for actual expenses, including travel expenses, to the
 5 extent that funds are made available for such purpose.

6 (e) The council shall meet at least quarterly according to a schedule it
 7 establishes. Special meetings shall be held on call of the chairman or of a
 8 quorum of the members of the council. For all regular or special meetings, the
 9 chairman or other members calling the meeting shall give at least seven days
 10 notice to the members of the council of the time and place where the meeting
 11 will be held. A majority of the members of the council shall constitute a quorum
 12 for the transaction of any and all business.

13 (f) The council shall be domiciled in Baton Rouge but may hold public
 14 meetings elsewhere in the state.

15 C. The Board of Regents annually shall submit a report to the Senate
 16 Committee on Education, the Senate Committee on Finance, the House
 17 Committee on Education, and the House Committee on Appropriations. The
 18 report shall include the distribution method, the list of degree and certificate
 19 programs upon which the distribution is based, the final distribution amounts,
 20 the number of jobs created as a result of the distribution, and the method and
 21 data used to determine the reported number of jobs created. Each public
 22 postsecondary education management board shall report to the Board of
 23 Regents the information necessary for the Board of Regents to satisfy the
 24 requirements of this Subsection.

25 Section 2. R.S. 36:651(G)(9) is hereby enacted to read as follows:

26 §651. Transfer of boards, commissions, departments, and agencies to Department
 27 of Education; boards, commissions, and agencies within Department
 28 of Education.

29 * * *

1 G. The following agencies, as defined by R.S. 36:3, are transferred to and
 2 hereafter shall be within the Department of Education as provided in Part III of
 3 Chapter 22 of this Title:

4 * * *

5 **(9) The Cybersecurity Education Management Council (R.S. 17:3138.9).**

6 * * *

The original instrument was prepared by Morgan B. Robertson. The following digest, which does not constitute a part of the legislative instrument, was prepared by LG Sullivan.

DIGEST

SB 79 Reengrossed

2020 Regular Session

Abraham

Proposed law creates the La. Cybersecurity Initiative Fund (fund) for the purpose of funding degree and certificate programs in cybersecurity fields in order to meet workforce needs and provides the following:

- (1) Fund monies shall be appropriated to the Board of Regents to be distributed to public postsecondary education institutions.
- (2) Institutions shall use the funds for expansion of cybersecurity programs.
- (3) Public postsecondary education management boards shall certify that a match of at least 25% is guaranteed by a private entity.
- (4) Fund monies shall not be included in the public postsecondary funding formula calculation and are in addition to, and shall not affect, any state general fund allocations to institutions.
- (5) The Board of Regents shall annually submit a report to certain legislative committees containing specified information relative to the fund.

Proposed law creates the Cybersecurity Education Management Council under the auspices of the Board of Regents for the purpose of advising and making recommendations to the Board of Regents with respect to distributions from the fund. Requires the council to annually review and approve the list of degree and certificate programs upon which the distribution is based and the final distribution amounts.

Proposed law provides for council membership as follows:

- (1) Two members appointed by the governor.
- (2) The commissioner of higher education or his designee.
- (3) A representative of the state Dept. of Education with expertise in science, technology, engineering, and math education appointed by the state superintendent of education.
- (4) The president of the La. Chemical Assoc. or his designee.
- (5) The president of the La. State University System or his designee.

- (6) The president of the Southern University System or his designee.
- (7) The president of the University of La. System or his designee.
- (8) The president of the La. Community and Technical College System or his designee.
- (9) The secretary of the La. Workforce Commission or his designee.
- (10) The secretary of the La. Dept. of Economic Development or his designee.

Proposed law further requires:

- (1) A vacancy to be filled in the same manner as the original appointment and members to elect a chairman, vice chairman, and other officers as they deem necessary.
- (2) Members to serve without compensation; they shall be reimbursed for actual expenses to the extent that funds are made available.
- (3) The council to meet at least quarterly; special meetings shall be held on call of the chairman or of a quorum of the members of the council.
- (4) The council to be domiciled in Baton Rouge, but it may hold public meetings elsewhere.

Effective August 1, 2020.

(Adds R.S. 17:3138.9 and R.S. 36:651(G)(9))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Clarifies that the Council is created under the auspices of the Board of Regents.
2. Provides that the Council is to make recommendations to the Board of Regents.
3. Changes meetings from monthly to quarterly.
4. Makes technical amendments.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Make technical changes