

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S4/8/25

A Bill

HOUSE BILL 1666

By: Representative S. Meeks

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE ARKANSAS SELF-FUNDED CYBER RESPONSE PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE ARKANSAS SELF-FUNDED CYBER RESPONSE PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 21-2-803 is amended to read as follows:

21-2-803. Definitions.

As used in this subchapter:

(1) "County" means any county of this state;

(2) "Cyber response contact" means a person or entity designated by the Arkansas Cyber Response Board to be the initial contact for a participating governmental entity that is the subject of a cyberattack;

~~(3)(A) "Cyber response panel" means a group of entities, each of which has been procured through state procurement and approved by the board, which can be activated by the cyber response contact to assist the participating governmental entity with forensic analysis, restoration guidance, and other board authorized assistance following a cyberattack.~~

~~(B) "Cyber response panel" may include an entity that is owned or managed by the government;~~

~~(4) "Higher education entity" means a:~~

~~(A) State-supported college, university, technical college, community college, or other institution of higher education; or~~



(B) Department, division, or agency of a state institution of higher education;

~~(5)~~(4) "Money" means:

(A) Currency, coins, and bank notes in current use and having a face value; and

(B) Travelers' checks, register checks, and money orders held for sale to the general public;

~~(6)~~(5) "Municipality" means:

(A) A city of the first class;

(B) A city of the second class; or

(C) An incorporated town;

~~(7)~~(6) "Participating governmental entity" means a:

(A) County;

(B) Municipality; or

(C) School district;

~~(8)~~(7) "Property other than money and securities" means any tangible property, other than money and securities, that has intrinsic value; and

~~(9)~~(8) "School district" means a school district or open-enrollment public charter school in this state.

SECTION 2. Arkansas Code § 21-2-804(a), concerning the establishment of the Arkansas Self-Funded Cyber Response Program, is amended to add an additional subdivision to read as follows:

(4) The program shall be:

(A) Secondary to any insurance a participating governmental entity may have; and

(B) Used to reimburse a participating governmental entity for losses as detailed in this subchapter.

SECTION 3. Arkansas Code § 21-2-804(e), concerning the scope of coverage of the Arkansas Self-Funded Cyber Response Program, is repealed.

~~(e) A participating governmental entity is legally liable for damages as a result of:~~

~~(1) The deprivation or violation of a civil right of an individual by a public official or public employee; or~~

~~(2) The tortious conduct of a public official or public employee.~~

SECTION 4. Arkansas Code § 21-2-805(a)(2), concerning the Arkansas Cyber Response Board, is amended to read as follows:

(2) The member under subdivision ~~(a)(1)(F)~~ (a)(1)(E) of this section shall be a nonvoting board member.

SECTION 5. Arkansas Code § 21-2-805(b), concerning the Arkansas Cyber Response Board, is amended to read as follows:

(b) The board shall:

(1)(A) Establish a definition of a cyberattack that will be covered under the Arkansas Self-Funded Cyber Response Program based on industry standards.

(B) The definition of a cyberattack established under subdivision (b)(1)(A) of this section shall be reviewed annually and updated as necessary by the board;

(2) Establish minimum cybersecurity standards for participating governmental entities;

(3) Determine a maximum amount of program coverage, not to exceed fifty thousand dollars (\$50,000), for participating governmental entities that have not met the minimum cybersecurity standards established by the board under this section;

~~(4) Create a cyber response panel;~~

~~(5)(A)~~ (4)(A) Designate a cyber response contact.

~~(B) The cyber response contact may select an entity from the cyber response panel to assist with forensic analysis, restoration guidance, and other board authorized assistance to the participating governmental entity.~~

~~(C)~~ The cyber response contact shall provide to the board:

(i) Prompt notice detailing the cyberattack; and

(ii) A detailed report of the action that is being

taken; and

~~(6)~~ (5) Promulgate rules and procedures regarding utilization of the program by participating governmental entities to generally align with the following procedures:

(A) Upon discovery of a cyberattack, a participating

governmental entity shall notify the cyber response contact designated by the board;

(B)(i) The cyber response contact shall make a determination of program coverage in consultation with the board, if feasible.

(ii) If consultation with the board is not feasible under subdivision ~~(b)(6)(B)(i)~~ (b)(5)(B)(i) of this section due to the timing of the cyberattack, then the cyber response contact shall review and evaluate criteria established by the board to make a determination of program coverage;

(C) The cyber response contact shall notify the board once the cyber response contact has made a determination of program coverage; and

(D) Any other procedures that the board deems necessary to carry out this subchapter.

/s/S. Meeks