

WEST VIRGINIA CODE: §5A-6B-3

§5A-6B-3. Powers and duties of Chief Information Security Officer; staff; rule-making.

(a) The West Virginia Cybersecurity Office is under the supervision and control of a Chief Information Security Officer appointed by the Chief Technology Officer and shall be staffed appropriately by the Office of Technology to implement the provisions of this article.

(b) The Chief Information Security Officer has the following powers and duties:

(1) Develop policies, procedures and standards necessary to establish an enterprise cybersecurity program that recognizes the interdependent relationship and complexity of technology in government operations and the nature of shared risk of cyber threats to the state;

(2) Create a cyber risk management service designed to ensure that officials at all levels understand their responsibilities for managing their agencies' cyber risk;

(3) Designate a cyber risk standard for the cybersecurity framework;

(4) Establish the cyber risk assessment requirements such as assessment type, scope, frequency and reporting;

(5) Provide agencies cyber risk guidance for information technology projects, including the recommendation of security controls and remediation plans;

(6) Assist agencies in the development of plans and procedures to manage, assist and recover in the event of a cyber incident;

(7) Assist agencies in the management of the framework relating to information custody, classification, accountability and protection;

(8) Ensure uniformity and adequacy of the cyber risk assessments;

(9) Notwithstanding the provisions of §5A-6B-1(b) of this code, enter into agreements with state government entities exempted from the application of this article or other political subdivisions of the state that desire to voluntarily participate in the cybersecurity program administered pursuant to this article;

(10) Develop policy outlining use of the privacy impact assessment as it relates to safeguarding of data and its relationship with technology; and

(11) Perform such other functions and duties as provided by law and as directed by the Chief Technology Officer.

(c) The Secretary of the Department of Administration shall propose rules for legislative approval in accordance with §29A-3-1 et seq. of this code to implement and enforce the provisions of this article.