

Bill: 3rd substitute HB 165 – Critical Infrastructure Amendments

Sponsor: Representative Brooks

Floor Sponsor: Senator Stratton

UASD Position: Track and amend

This Bill enacts provisions regarding foreign adversary threats to state critical infrastructure.

Discussion: The sponsor presented the 3rd substitute, which the Committee adopted. The sponsor explained that operational technology used in water, communications, and electrical systems can be vulnerable to malware. The Bill requires government entities that operate critical infrastructure to use tools capable of detecting malware and preventing systems from being remotely accessed.

The Bill updates state law to strengthen protections for Utah’s critical infrastructure and communications systems, including power, water, transportation, data centers, and other systems essential to public safety and economic stability. The Bill defines key terms, such as “communications provider” and “foreign adversary”, using applicable federal standards, and directs the Utah Cyber Center to develop and update guidance to help government entities protect critical infrastructure from cybersecurity threats.

Under the Bill, government agencies may request cybersecurity assessments from the Utah Cyber Center when evaluating or using technology, software, or services associated with a foreign adversary, with priority given to systems containing highly sensitive data. The Bill prohibits government agencies from procuring certain federally banned foreign adversary technologies for use in critical infrastructure and requires reporting when such technology is involved in a data breach. Overall, the Bill is intended to modernize and clarify statewide protections against cybersecurity and foreign threat risks to Utah’s critical infrastructure.

Senator Kwan questioned why the Bill focuses on foreign adversaries. The sponsor clarified that the Bill also applies to domestic threats. Tim Davis, Executive Director of the Division of Environmental Quality, spoke in support of the Bill.

Yeas: 6

Nays: 0

N/V: 2

Outcome: 3rd substitute HB 165 passed out of the Committee with a favorable recommendation.
