



MEMORANDUM

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To: Representative Carl Turner, Chair, House Committee on Modernization
From: Chris Clarke, Legislative Post Auditor
Date: February 2, 2026
Subject: House Bill 2574

I appreciate the opportunity to provide neutral testimony on HB 2574. We appreciate the efforts to revise the Act. In reviewing the bill, we have identified several points for your consideration we would like to bring to your attention. We will be available for questions to help in that process as needed.

- **ALL BRANCHES: The current language requires the respective CISOs to audit and report on their established cybersecurity program, not individual agencies' compliance with the program, and the audit frequency is ambiguous.** The bill requires the CISOs for each branch of government and elected offices to create a cybersecurity program, coordinate periodic audits of those programs, and to report the programs' maturity to various legislative committees every 2 years starting in 2027. Our concerns are as follows:
 - The audits are focused on the cybersecurity program, not on agency compliance. The original bill envisioned measuring agencies' cybersecurity improvement.
 - The ambiguity of "periodic" audits could lead to inconsistent interpretations and audit schedules across the CISOs. Further, the bill also requires CISOs to report on the maturity of their programs every 2 years, which may not align with the periodic audits if those occur less frequently.
- **EXECUTIVE BRANCH: The current language requires the executive branch Chief Information Security Officer to conduct audits and assessments of executive branch agencies without stated frequency, and may have confidentiality concerns.**
 - The required audits and cybersecurity assessments for agencies lack clear timeframes: agency-specific audits do not have any frequency requirements, and the agency-specific cybersecurity assessments are supposed to be done "periodically."
 - The current language contains confidentiality protections for the cybersecurity program, but it does not include the same protections for agency-specific audits and assessments, despite those likely being more sensitive.
 - Lastly, the bill makes the E-CISO responsible for conducting the agency audits and assessments (Section 13 (c) (6) and (11)). It allows the E-CISO to use internal staff, 3rd parties or a combination thereof for the cybersecurity assessments. Allowing the oversight entity to perform audits or assessments themselves may create conflict of issues.

- **EXECUTIVE BRANCH:** The current language allows the possibility of budget cuts for executive branch agencies with insufficient progress based on their cybersecurity assessment, but that process appears to lack uniform criteria and is not imposed on the other branches.
 - As mentioned earlier, there is no specific timetable for agency-specific cybersecurity assessments.
 - The bill doesn't have clear criteria for what must be evaluated, and what the threshold is for findings. This could lead to inconsistencies across agency assessments, especially if they are carried out by different parties.
 - The bill lacks clarity on how to measure progress. Agencies that have received a cybersecurity assessment with findings must develop a plan of action and milestones to remediate the findings. The bill requires the E-CISO to report to the legislative budget committee starting in October 2028 on agencies not making progress. The E-CISO also must submit written reports to the Legislature at the start of session on agencies not making progress. In turn legislative committees may consider cutting those agencies' special revenue funds for IT and cybersecurity expenditures by 10%. However, the current language does not define what progress looks like. That ambiguity may introduce equality or impartiality issues when deciding whether reports to the Legislature are necessary and if to implement budget cuts.
 - Finally, the process of assessing agencies' cybersecurity, with a monitoring plan for progress on findings and potential budget cuts for agencies not making progress is only imposed on the executive branch. The current bill does not include similar language for Judicial and Legislative branch agencies.