

## 1 SENATE BILL NO. 82

2 INTRODUCED BY J. BRUEGGEMAN

3 BY REQUEST OF THE LEGISLATIVE COUNCIL

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5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE RULES FOR USE OF INFORMATION  
6 TECHNOLOGY RESOURCES FOR THE LEGISLATIVE BRANCH BE INCLUDED IN THE LEGISLATIVE  
7 BRANCH COMPUTER SYSTEM PLAN; AND AMENDING SECTION 2-17-518, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 2-17-518, MCA, is amended to read:

12 **"2-17-518. Rulemaking authority.** (1) The department shall adopt rules to implement this part, including  
13 the following:

14 (a) rules to guide the review and approval process for state agency software and management systems  
15 that provide similar functions for multiple state agencies, which must include but are not limited to:

16 (i) identifying the software and management systems that must be approved;

17 (ii) establishing the information that state agencies are required to provide to the department; and

18 (iii) establishing guidelines for the department's approval decision;

19 (b) rules to guide the review and approval process for state agency acquisition of information technology  
20 resources, which must include but are not limited to processes and requirements for:

21 (i) agency submissions to gain approval for acquiring information technology resources;

22 (ii) approving specifications for information technology resources; and

23 (iii) approving contracts for information technology resources; and

24 (c) rules for granting exceptions from the requirements of this part, which must include but are not limited  
25 to:

26 (i) a process for applying for an exception; and

27 (ii) guidelines for determining the department's approval decision.

28 (2) The department may adopt rules to guide the development of state agency information technology  
29 plans. The rules may include:

30 (a) agency plan review procedures;

- 1 (b) agency plan content requirements;
- 2 (c) guidelines for the department's approval decision; and
- 3 (d) dispute resolution processes and procedures.
- 4 (3) Adequate rules for the use of any information technology resources must be adopted by the:
- 5 (a) supreme court for judicial branch agencies; and
- 6 (b) legislative council, ~~with the concurrence of the legislative audit committee and the legislative finance~~
- 7 ~~committee, as a part of the legislative branch computer system plan, as provided for in 5-11-405,~~ for the
- 8 consolidated legislative branch, as provided for in 5-2-504."

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