

HOUSE BILL NO. 14
INTRODUCED BY B. WISEMAN
BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR INFORMATION TECHNOLOGY CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2009; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE LONG-RANGE INFORMATION TECHNOLOGY PROGRAM ACCOUNT; PROVIDING FOR THE DEVELOPMENT AND ACQUISITION OF NEW INFORMATION TECHNOLOGY SYSTEMS FOR THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, THE DEPARTMENT OF ADMINISTRATION, AND THE JUDICIAL BRANCH; PROVIDING FOR THE REAPPROPRIATION OF LONG-RANGE INFORMATION TECHNOLOGY CAPITAL PROJECT FUNDS; REQUIRING APPROVAL OF PROJECT AND SECURITY PLANS FOR CERTAIN PROJECTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 4], the following definitions apply:

- (1) "Chief information officer" has the meaning provided in 2-17-506.
- (2) "Information technology" has the meaning provided in 2-17-506.
- (3) "Information technology capital project" means a group of interrelated information technology activities that are planned and executed in a structured sequence to create a unique product or service.
- (4) "LRITP" means the long-range information technology program account in the capital projects fund type.

NEW SECTION. **Section 2. Appropriations and authorizations.** (1) All business application systems funded under this section must have a plan approved by the chief information officer for the design, definition, creation, storage, and security of the data associated with the application system. The security aspects of the plan must address but are not limited to authentication and granting of system privileges, safeguards against unauthorized access to or disclosure of sensitive information, and, consistent with state records retention policies, plans for the removal of sensitive data from the system when it is no longer needed. It is the intent of this

subsection that specific consideration be given to the potential sharing of data with other state agencies in the design, definition, creation, storage, and security of the data.

(2) Funds may not be released for the project until the chief information officer and budget director approve the plans described in subsection (1).

(3) The following money is appropriated to the department of administration for the indicated information technology capital projects.

Agency/Project	LRITP	Federal Special Revenue	Total
DEPARTMENT OF ADMINISTRATION			
Northern Tier Network Expansion	\$7,823,130		\$7,823,130
Statewide E911 Network	\$4,000,000		\$4,000,000
Public Safety Radio Consortium	\$5,000,000		\$5,000,000
Public Safety Radio Interoperability	\$3,500,000		\$3,500,000
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES			
TANF Eligibility System	\$7,625,000	\$8,600,000	\$16,225,000
CHIMES System (completion)	\$550,000	\$550,000	\$1,100,000
Food Stamps System	\$6,535,000	\$6,535,000	\$13,070,000
Child & Adult Protective Services (CAPS) System	\$15,204,000	\$11,946,000	\$27,150,000
ICD 10 (Medicaid Disease Codes)	\$300,000	\$2,700,000	\$3,000,000

NEW SECTION. Section 3. Judicial branch information technology capital projects appropriation.

(1) There is appropriated to the supreme court \$3,935,000 from the LRITP for case management improvements and courtroom technology improvements in the judicial branch.

(2) Before encumbering any funds appropriated in subsection (1), the office of court administrator shall submit a project and security plan, as described in [section 2(1)], to the chief information officer. The chief information officer shall promptly review the plan and, if necessary, make timely recommendations to the office of court administrator regarding implementation of the plan.

(3) As part of the annual report to the law and justice interim committee and house appropriations subcommittee required under 3-1-702, the office of court administrator shall include an update on the implementation of projects funded under this section.

NEW SECTION. Section 4. Fund transfer. (1) The following amounts are transferred from the general fund to the LRITP in the capital projects fund type:

- (a) \$3,200,000, on [the effective date of this act];
- (b) \$13,831,965 for fiscal year 2008; and
- (c) \$33,505,165 for fiscal year 2009.

(2) The transferred funds must be used for the projects enumerated in [section 2]. In order to maintain an adequate ending fund balance, if at any time during the 2009 biennium, the office of budget and program planning projects a 2009 biennium unreserved ending fund balance of less than \$100 million, the office of budget and program planning may reduce the transfers in subsection (1). The department of administration shall transfer funds on a schedule approved by the office of budget and program planning that enables the state to meet management goals for cash flow and fund balance.

(3) There is transferred from the general fund to the LRITP, \$3,935,000 for fiscal year 2008 to be used for the projects in [section 3].

NEW SECTION. Section 5. Reappropriation of long-range information technology capital project funds. The remaining balances for long-range information technology capital projects previously approved by the legislature and identified as long-range information technology capital projects in an appropriation act are reappropriated for the purposes of the original appropriation until the projects are completed.

NEW SECTION. Section 6. Approval required. Amounts appropriated by the legislature to executive branch agencies, other than the university system, for long-range information technology capital projects may not be encumbered until project and security plans are approved by the chief information officer and the budget director if the legislature directs these approvals as a condition on the appropriations in the bill making the appropriations.

NEW SECTION. Section 7. Codification instruction. [Sections 5 and 6] are intended to be codified as an integral part of Title 2, chapter 17, part 5, and the provisions of Title 2, chapter 17, part 5, apply to [sections 5 and 6].

NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part

remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 9. Effective date.** [This act] is effective on passage and approval.

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