

## 1 SENATE BILL NO. 220

2 INTRODUCED BY C. KAUFMANN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ABOLISHING THE ELECTRONIC GOVERNMENT ADVISORY  
5 COUNCIL; TRANSFERRING THE COUNCIL'S DUTIES TO THE INFORMATION TECHNOLOGY BOARD;  
6 REQUIRING A REPORT TO THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE;  
7 AMENDING SECTIONS 2-17-513, 2-17-1102, AND 2-17-1103, MCA; REPEALING SECTION 2-17-1105, MCA;  
8 AND PROVIDING AN EFFECTIVE DATE."

9

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

11

12 **Section 1.** Section 2-17-513, MCA, is amended to read:13 **"2-17-513. Duties of board.** The board shall:

14 (1) provide a forum to:

15 (a) guide state agencies, the legislative branch, the judicial branch, and local governments in the  
16 development and deployment of intergovernmental information technology resources;17 (b) share information among state agencies, local governments, and federal agencies regarding the  
18 development of information technology resources;

19 (2) advise the department:

20 (a) in the development of cooperative contracts for the purchase of information technology resources;21 (b) regarding the creation, management, and administration of electronic government services and  
22 information on the internet;23 (c) regarding the administration of electronic government services contracts;24 (d) on the priority of government services to be provided electronically;25 (e) on convenience fees prescribed in 2-17-1102 and 2-17-1103, if needed, for electronic government  
26 services; and27 (f) on any other aspect of providing electronic government services;

28 (3) review and advise the department on:

29 (a) statewide information technology standards and policies;

30 (b) the state strategic information technology plan;

- 1 (c) major information technology budget requests;
- 2 (d) rates and other charges for services established by the department as provided in 2-17-512(1)(t);
- 3 (e) requests for exceptions as provided for in 2-17-515;
- 4 (f) notification of proposed exemptions by the university system and office of public instruction as
- 5 provided for in 2-17-516;
- 6 (g) action taken by the department as provided in 2-17-514(1) for any activity that is not in compliance
- 7 with this part;
- 8 (h) transfer of information technology funds, resources, and employees as provided for in 2-17-531; ~~and~~
- 9 (i) the implementation of major information technology projects and advise the respective governing
- 10 authority of any issue of concern to the board relating to implementation of the project; and
- 11 (j) financial reports, management reports, and other data as requested by the department;
- 12 (4) study state government's present and future information technology needs and advise the department
- 13 on the use of emerging technology in state government; ~~and~~
- 14 (5) request information and reports that it considers necessary from any entity using or having access
- 15 to the statewide telecommunications network or central computer center-;
- 16 ~~(6) on the request of the governor or the legislature, prepare reports regarding the growth, performance,~~
- 17 ~~and use of electronic government services and other measurements that the board considers necessary to~~
- 18 ~~implement and enhance the functioning of electronic government service;~~
- 19 (7)(6) assist in identifying, evaluating, and prioritizing potential departmental and interagency electronic
- 20 government services;
- 21 (8)(7) serve as a central coordination point for electronic government services provided by the department
- 22 and other state agencies; and
- 23 (9)(8) study, propose, develop, or coordinate any other activity in furtherance of electronic government
- 24 services as requested by the governor or the legislature; AND
- 25 (9) PREPARE AND SUBMIT TO THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE BY
- 26 SEPTEMBER 15 IN THE YEAR PRECEDING THE REGULAR LEGISLATIVE SESSION AND IN THE MANNER PROVIDED IN 5-11-210
- 27 A REPORT INCLUDING BUT NOT NECESSARILY LIMITED TO A SUMMARY OF THE BOARD'S ACTIVITIES, A REVIEW OF THE
- 28 ELECTRONIC GOVERNMENT PROGRAM ESTABLISHED UNDER PART 11 OF THIS CHAPTER, AND ANY KEY FINDINGS AND
- 29 RECOMMENDATIONS THAT THE BOARD PRESENTED TO THE DEPARTMENT."
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1           **Section 2.** Section 2-17-1102, MCA, is amended to read:

2           **"2-17-1102. Definitions.** As used in this part, unless the context requires otherwise, the following  
3 definitions apply:

4           ~~(1) "Advisory council" means the electronic government advisory council established in 2-17-1105.~~

5           ~~(2)~~(1) "Convenience fee" means a fee charged to recover the costs of providing electronic government  
6 services.

7           ~~(3)~~(2) "Costs" means the overall costs that the department may incur to provide electronic government  
8 services, including the costs of contracts entered into with private entities to assist in providing electronic  
9 government services.

10          ~~(4)~~(3) "Department" means the department of administration provided for in 2-15-1001.

11          ~~(5)~~(4) "Infrastructure" means the underlying technology necessary to provide electronic government  
12 services."  
13

14           **Section 3.** Section 2-17-1103, MCA, is amended to read:

15           **"2-17-1103. Responsibilities of department for electronic government.** (1) The department shall:

16           (a) provide the ability for state agencies to offer electronic government services by providing a  
17 reasonable and secure infrastructure;

18           (b) provide a point of entry for electronic government services to achieve a single face of government;

19           (c) encourage a common look and feel for all electronic government services for the benefit of the  
20 customers of the services;

21           (d) set technological standards for electronic government services;

22           (e) use technology that enables the greatest number of customers to obtain access to electronic  
23 government services;

24           (f) promote the benefits of electronic government services through educational, marketing, and outreach  
25 initiatives;

26           (g) promote transparency in information management; and

27           (h) share and coordinate information with political subdivisions whenever possible.

28           (2) To fulfill the responsibilities in subsection (1), the department may contract with private entities. The  
29 department may charge convenience fees and may allow private entities to collect the convenience fees on  
30 selected electronic government services in order to provide funding for the support and furtherance of electronic

1 government services. ~~The advisory council may advise the department on the amount of fees and the services~~  
2 ~~on which to charge fees.~~

3 (3) The department or a private entity under a contract as provided in subsection (2) may not use any  
4 data associated with providing electronic government services for any purpose that is not provided for by law."

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6 **NEW SECTION. Section 4. Repealer.** The following section of the Montana Code Annotated is  
7 repealed:

8 2-17-1105. Electronic government advisory council.

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10 **NEW SECTION. Section 5. Effective date.** [This act] is effective July 1, 2015.

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