

HOUSE BILL NO. 10

INTRODUCED BY K. HOLMLUND

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO INFORMATION TECHNOLOGY CAPITAL PROJECTS; APPROPRIATING MONEY FOR INFORMATION TECHNOLOGY CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2021; PROVIDING DIRECTION REGARDING THE USE OF STATE DATA CENTERS; PROVIDING A DEFINITION OF "LONG-RANGE INFORMATION TECHNOLOGY CAPITAL PROJECT"; PROMOTING STATEWIDE NETWORKS EFFICIENCIES; PROVIDING FOR OTHER MATTERS RELATED 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 ADMINISTRATION INFORMATION TECHNOLOGY SERVICES DIVISION, THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS, THE DEPARTMENT OF JUSTICE, THE DEPARTMENT OF LIVESTOCK, THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, AND THE DEPARTMENT OF TRANSPORTATION; AMENDING SECTION 2-17-506, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**SECTION 1.** SECTION 2-17-506, MCA, IS AMENDED TO READ:

**"2-17-506. Definitions.** In this part, unless the context requires otherwise, the following definitions apply:

- (1) "Board" means the information technology board established in 2-15-1021.
- (2) "Central computer center" means any stand-alone or shared computer and associated equipment, software, facilities, and services administered by the department for use by state agencies.
- (3) "Chief information officer" means a person appointed by the director of the department to carry out the duties and responsibilities of the department relating to information technology.
- (4) "Data" means any information stored on information technology resources.



1 (5) "Department" means the department of administration established in 2-15-1001.

2 (6) "Electronic access system" means a system capable of making data accessible by means of an  
3 information technology facility in a voice, video, or electronic data form, including but not limited to the internet.

4 (7) "Information technology" means hardware, software, and associated services and infrastructure used  
5 to store or transmit information in any form, including voice, video, and electronic data.

6 ~~(8)~~ "Long-range information technology capital project" means a discrete long-range information  
7 technology system or application, including the replacement or upgrade to existing systems.

8 ~~(8)(9)~~ "Private safety agency" has the same meaning as provided in 10-4-101.

9 ~~(9)(10)~~ "Public safety agency" has the same meaning as provided in 10-4-101.

10 ~~(10)(11)~~ "State agency" means any entity of the executive branch, including the university system.

11 ~~(11)(12)~~ "Statewide telecommunications network" means any telecommunications facilities, circuits,  
12 equipment, software, and associated contracted services administered by the department for the transmission  
13 of voice, video, or electronic data from one device to another."  
14

15 **NEW SECTION. Section 2. Definitions.** For the purposes of [this act], the following definitions apply:

16 (1) "Chief information officer" has the meaning provided in 2-17-506.

17 (2) "Department" means the department of administration.

18 (3) "Information technology" has the meaning provided in 2-17-506.

19 (4) "Information technology capital project" means a group of interrelated information technology activities  
20 that are planned and executed in a structured sequence to create a unique product or service.

21 (5) "LRITP" means the long-range information technology program account in the capital projects fund  
22 type.  
23

24 **NEW SECTION. Section 3. Appropriations and authorizations.** (1) All business application systems  
25 funded under this section must have a plan approved by the chief information officer for the design, definition,  
26 creation, storage, and security of the data associated with the application system. The security aspects of the plan  
27 must address but are not limited to authentication and granting of system privileges, safeguards against  
28 unauthorized access to or disclosure of sensitive information, and, consistent with state records retention policies,  
29 plans for the removal of sensitive data from the system when it is no longer needed. It is the intent of this  
30 subsection that specific consideration be given to the potential sharing of data with other state agencies in the

1 design, definition, creation, storage, and security of the data.

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

4 (3) The following money is appropriated to the department to be used only for the indicated information  
 5 technology capital projects:

6 Agency/Project	7 LRITP	8 State Special Revenue	9 Federal Special Revenue	10 Proprietary	11 Total
12 <del>DEPARTMENT OF ADMINISTRATION INFORMATION TECHNOLOGY SERVICES</del>					
13 <del>Montana Cybersecurity Enhancement Project</del>					
14 <del>_____</del>					15 <del>7,800,000</del>
16 FISH, WILDLIFE, AND PARKS					
17 Automated Licensing System Replacement					
		18 2,500,000	19 7,500,000		
20 DEPARTMENT OF JUSTICE					
21 Mainframe Transition					
		22 4,034,822			
23 DEPARTMENT OF LIVESTOCK					
24 Interface Systems Upgrade					
		25 1,300,000			
26 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION					
27 Water Rights Information System (WRIS)					
		28 2,395,197	29 1,000,000		
30 Trust Land Management System II (TLMSII)					
		31 2,000,000			
32 DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES					
33 Montana Family Safety Information System (MFSIS)					
		34 2,722,619	35 2,722,619		36 5,445,238
37 Mainframe Transition - CAPS and SEARCHES					
		38 2,195,550	39 557,709	40 2,666,769	41 5,420,028

1 DEPARTMENT OF TRANSPORTATION

2 Federal Billing System

3 7,000,000

7,000,000

4 (4) THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS MAY ADJUST APPROPRIATIONS BETWEEN STATE SPECIAL  
5 REVENUE AND FEDERAL SPECIAL REVENUE FUNDS IF THE TOTAL STATE SPECIAL REVENUE AUTHORITY IS NOT INCREASED  
6 BY MORE THAN 10% OF THE TOTAL APPROPRIATION AUTHORIZED FOR THE AUTOMATED LICENSING SYSTEM REPLACEMENT  
7 PROJECT.

8  
9 NEW SECTION. Section 4. Fund transfers. The state treasurer shall transfer ~~\$15,113,366~~ \$7,313,366  
10 from the general fund to the LRITP by June 30, 2021.

11  
12 ~~NEW SECTION. Section 4. Directions to the department -- state data center.~~ The department is  
13 directed to:

14 ~~(1) require all state agencies to transition to the state data center pursuant to the State of Montana~~  
15 ~~Executive Order No. 09-2016, Implementing the State Information Technology Convergence Plan, unless there~~  
16 ~~is a documented financial or security reason that justifies why the agency should not use the state data center;~~

17 ~~(2) leverage the state data center for local governments, school districts, and the university system to use;~~  
18 ~~and~~

19 ~~(3) market the use of the state data center to other states if excess capacity exists.~~

20  
21 NEW SECTION. Section 5. Statewide networks efficiencies. (1) The department is directed to  
22 leverage federal funds and other resources to the maximum extent possible to assist with infrastructure  
23 obligations associated with federal and other programs.

24 (2) State agencies are authorized to utilize existing appropriation authority to support or enhance  
25 enterprise electronic content management services.

26  
27 NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are severable  
28 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part  
29 remains in effect in all valid applications that are severable from the invalid applications.

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