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HOUSE BILL NO. 10

INTRODUCED BY M. HOPKINS

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO FINANCING INFORMATION TECHNOLOGY CAPITAL PROJECTS; APPROPRIATING MONEY FOR INFORMATION TECHNOLOGY CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING REPORTING REQUIREMENTS; 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 VARIOUS DEPARTMENTS AND THE MONTANA UNIVERSITY SYSTEM; MODIFYING CERTAIN MOTOR VEHICLE FEES; PROVIDING FOR REPAYMENT OF FUNDS BY THE DEPARTMENT OF JUSTICE; AMENDING SECTIONS 61-3-203, 61-3-204, 61-3-550, ~~AND 61-6-158, MCA~~; 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 [this act], 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

1 aspects of the plan must address but are not limited to authentication and granting of system privileges,  
 2 safeguards against unauthorized access to or disclosure of sensitive information, and, consistent with state  
 3 records retention policies, plans for the removal of sensitive data from the system when it is no longer needed.  
 4 It is the intent of this subsection that specific consideration be given to the potential sharing of data with other  
 5 state agencies in the design, definition, creation, storage, and security of the data. This plan must be approved  
 6 by the chief information officer and the budget director prior to releasing a request for proposal or similar  
 7 procurement document.

8 (2) Funds may not be released for a project until the chief information officer and the budget  
 9 director approve the plans described in subsection (1) and have reviewed and approved results from requests  
 10 for proposals or similar procurement procedures and contract documents.

11 (3) The following money is appropriated to the department of administration to be used only for the  
 12 indicated information technology capital projects:

Agency/Project	LRITP	State Special Revenue	Federal Special Revenue	Proprietary	Total
DEPARTMENT OF ADMINISTRATION -STATE INFORMATION TECHNOLOGY SERVICES					
Montana Cybersecurity Enhancement Project					
	<u>21,513,774</u>				<u>21,513,774</u>
	<u>19,362,397</u>				<u>19,362,397</u>
E-Discovery/Public Information Request Software					
	<u>2,000,000</u>				
	<u>1,800,000</u>				<u>1,800,000</u>
DEPARTMENT OF AGRICULTURE					
Commodity Assessment System					
	350,000	20,000			370,000
SAFHER Federal System					
		166,667	33,333		200,000
Grant Management System					

**Amendment - 1st Reading/2nd House-blue - Requested by: Conference Committee on HB 10**

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0010.003.002

1		40,000	20,000	60,000
2	DEPARTMENT OF LIVESTOCK			
3	Animal Health System			
4		450,000		450,000
5	Snowflake Integration			
6		125,000		125,000
7	Google AI			
8		425,000		425,000
9	PUBLIC SERVICE COMMISSION			
10	Software Modernization (REDDI)			
11		1,496,436		1,496,436
12	DEPARTMENT OF NATURAL RESOURCES & CONSERVATION			
13	Financial Management System			
14		<del>758,800</del>	<del>596,200</del>	<del>1,355,000</del>
15		<u>607,800</u>	<u>596,200</u>	<u>1,204,000</u>
16	Fire Finance Processing System			
17		500,000		500,000
18	Flathead Reservation Information Technology System			
19		<del>700,000</del>		<del>700,000</del>
20		<u>656,667</u>		<u>656,667</u>
21	Trust Land Management System Customer Portal			
22		2,000,000		2,000,000
23	<del>OFFICE OF PUBLIC DEFENDER</del>			
24	<del>Wi-Fi Updates in Courthouses</del>			
25		<del>350,000</del>		<del>350,000</del>
26	DEPARTMENT OF CORRECTIONS			
27	Offender Management System			
28		<del>18,000,000</del>		<del>18,000,000</del>

1		<u>17,750,000</u>		<u>17,750,000</u>
2	DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES			
3	Comprehensive Child Welfare Information System			
4		12,537,881	12,537,881	25,075,762
5	Montana Child Support Enforcement Automated System			
6		4,412,940	6,304,200	20,803,860
7				
8	Electronic Health Records & Billing – State Facilities			
9		<del>25,000,000</del>	<del>2,321,690</del>	<del>285,614</del>
10		<u>20,108,980</u>	<u>2,321,690</u>	<u>285,614</u>
11		<u>25,000,000</u>		<u>27,607,304</u>
12	Montana Healthcare Programs Modularity Project			
13		4,940,613	44,465,517	49,406,130
14	SNAP Employment & Training Enterprise Solution			
15		1,400,000	1,400,000	2,800,000
16	Electronic Benefits Transfer System Replacement			
17		1,250,000	1,250,000	2,500,000

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

**appropriation.** (1) (a) There is appropriated to the supreme court ~~\$850,000~~ \$782,500 from the LRITP for courtroom remote appearance video system in the judicial branch.

(b) There is appropriated to the supreme court \$500,000 from the LRITP for courthouse security initiative 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. ~~THE PROJECT AND SECURITY PLAN, AS DESCRIBED IN [SECTION 2(1)], MUST BE IMPLEMENTED NO LATER THAN DECEMBER 30, 2024.~~

1 (3) As part of the annual report to the law and justice interim committee and the house  
2 appropriations subcommittee required under 3-1-702, the office of court administrator shall include an update  
3 on the implementation of projects funded under this section.  
4

5 NEW SECTION. Section 4. Department of justice information technology capital projects

6 **appropriation.** (1) ~~Subject to [sections 7 and 8 AND 9], there~~ THERE is appropriated to the department of justice  
7 ~~\$50,511,000~~ \$45,215,100 from the LRITP for replacement of the MERLIN system in the department of justice.

8 (2) Before encumbering any funds appropriated in subsection (1), the department of justice shall  
9 submit a project and security plan to the chief information officer. The chief information officer shall promptly  
10 review the plan and, if necessary, make timely recommendations to the department of justice regarding  
11 implementation of the plan.

12 (3) The department of justice shall provide a quarterly update to the law and justice interim  
13 committee and the legislative finance committee on the implementation of projects funded under this section.

14 (4) (A) THE DEPARTMENT OF JUSTICE SHALL SUBMIT A PROJECT IMPLEMENTATION PLAN TO THE JUDICIAL  
15 BRANCH, LAW ENFORCEMENT, AND JUSTICE BUDGET COMMITTEE AND THE LONG-RANGE PLANNING BUDGET COMMITTEE  
16 PROVIDED FOR IN 5-12-501. THIS PLAN MUST INCLUDE A PROJECT DEVELOPMENT AND IMPLEMENTATION TIMELINE,  
17 MILESTONES, AND A DETAILED PROJECT BUDGET.

18 (B) THE DEPARTMENT OF JUSTICE SHALL PRESENT A QUARTERLY UPDATE TO THE BUDGET COMMITTEES,  
19 INCLUDING:

20 (I) OVERALL PROJECT STATUS;

21 (II) PROJECT EXPENDITURES;

22 (III) PROGRESS TOWARDS MILESTONES IDENTIFIED IN THE IMPLEMENTATION PLAN;

23 (IV) PROJECT RISKS AND ISSUES;

24 (V) PROJECT ACCOMPLISHMENTS; AND

25 (VI) ACTION ITEMS.  
26

27 NEW SECTION. SECTION 5. MONTANA UNIVERSITY SYSTEM/UNIVERSITY OF MONTANA TECHNOLOGY

28 CAPITAL PROJECT APPROPRIATION. (1) THERE IS APPROPRIATED \$6,164,320 FROM THE LRITP TO THE MONTANA

1 ~~account to the general fund. The repayment will continue through the fiscal year ending June 30, 2038.~~

2 ~~(c) For the fiscal year beginning July 1, 2024, through the fiscal year beginning July 1, 2033, the~~  
3 ~~department shall transfer an additional \$500,000 by June 30 of each fiscal year from the account to the general~~  
4 ~~fund. "~~

5

6 **Section 9.** Section 61-6-158, MCA, is amended to read:

7 **"61-6-158. Vehicle insurance verification and license plate operating account.** (1) There is a  
8 vehicle insurance verification and license plate operating account in the state special revenue fund type as  
9 provided in 17-2-102.

10 (2) Fees imposed under 61-3-321 (7)(b)(ii) and (13), 61-3-333, 61-3-465 (1)(b)(i), 61-3-480  
11 (2)(c)(i), 61-3-562 (1)(a)(ii), or 61-3-701 (5) or established and collected under 61-6-105 must be deposited in  
12 the account.

13 (3) The money in the vehicle insurance verification and license plate operating account must be  
14 used by the department to pay costs incurred in or associated with the operation, maintenance, and  
15 enhancement of the system established under 61-6-157 and the contract required in 61-3-338 for the  
16 manufacture and distribution of license plates by Montana correctional enterprises or other costs incurred by  
17 the department or as otherwise appropriated by the legislature to the department.

18 (4) ~~For the fiscal year beginning July 1, 2024, through the fiscal year beginning July 1, 2033, the~~  
19 ~~department of justice shall transfer \$500,000 from the vehicle insurance verification and license plate operating~~  
20 ~~account to the general fund by June 30 of each fiscal year. "~~

21

22 **NEW SECTION. Section 6. Transfer of funds.** The state treasurer shall transfer \$147,575,008  
23 ~~\$153,389,328~~ ~~\$140,339,198~~ \$145,230,218 from the general fund to the LRITP on an as-needed incremental  
24 basis no later than June 30, 2025.

25

26 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are  
27 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
28 the part remains in effect in all valid applications that are severable from the invalid applications.