

CHAPTER 142

(HB 395)

AN ACT relating to project oversight of governmental information technology resources.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 7A IS CREATED TO READ AS FOLLOWS:

As used in this section:

- (1) *"Board" means the Investments in Information Technology Improvement and Modernization Projects Oversight Board;*
- (2) *"Information technology system" means any related computer or telecommunication components that provide a functional system for a specific business purpose and contain one (1) or more of the following:*
 1. *Hardware;*
 2. *Software, including application software, systems management software, utility software, or communications software;*
 3. *Professional services for requirements analysis, system integration, installation, implementation, or data conversion services; or*
 4. *Digital data products, including acquisition and quality control; and*
- (3) *"State agency" means any department, commission, council, board, bureau, committee, institution, legislative body, agency, government corporation, or other entity of the executive, judicial, or legislative branch of state government.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 7A IS CREATED TO READ AS FOLLOWS:

- (1) *The Investments in Information Technology Improvement and Modernization Projects Oversight Board is hereby established and shall consist of six (6) members to be appointed in accordance with the following:*
 - (a) *The Speaker of the House of Representatives shall appoint three (3) current members of the House of Representatives, one (1) of whom shall be designated co-chair, and at least one (1) of the three (3) members shall represent the minority party;*
 - (b) *The President of the Senate shall appoint three (3) current members of the Senate, one (1) of whom shall be designated co-chair, and at least one (1) of the three (3) members shall represent the minority party; and*
 - (c) *All members shall be active members of the Kentucky General Assembly during their terms of appointment.*
- (2) *Any vacancy on the board shall be filled in the same manner as the original appointment.*
- (3) *The co-chairs shall have joint responsibilities for board meetings, agendas, and presiding at board meetings.*
- (4) *On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs. The board shall meet at least twice during each calendar year.*
- (5) *Members of the board shall be entitled to reimbursement for expenses incurred in the performance of their duties.*
- (6) *A majority of the entire membership of the board shall constitute a quorum, and all actions of the board shall be by vote of a majority of its entire membership.*
- (7) *The purpose of the board is to:*
 - (a) *Review investment and funding strategies for projects to improve or modernize state agency information technology systems, including:*

1. *Legacy system projects and cybersecurity projects; and*
 2. *The current and ongoing operation and maintenance of state agency information resources;*
- (b) *Determine the appropriate organizational structure for deployment of technology across the Commonwealth; and*
- (c) *Review the latest information technology developments trending across the nation.*

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 7A IS CREATED TO READ AS FOLLOWS:

- (1) *Not later than July 30, 2025, the board, in consultation with the Commonwealth Office of Technology, shall prescribe the form, contents, and manner of submission of the plan required under this section.*
- (2) *Each state agency shall submit the plan developed under this section to the:*
 - (a) *Commonwealth Office of Technology; and*
 - (b) *Board.*
- (3) *Not later than October 1, 2025, each state agency in the executive, legislative, and judicial branches of state government shall prepare an agency-wide plan outlining the manner in which the agency intends to transition its information technology and data-related services and capabilities into a modern, integrated, secure, and effective technological environment.*
- (4) (a) *On or before December 1, 2025, and biennially thereafter, the board shall provide a written report to the Legislative Research Commission that identifies:*
 1. *Existing and planned projects to improve or modernize state agency information technology systems; and*
 2. *The method of funding for each project identified by the board.*
- (b) *The written report to the Legislative Research Commission shall include:*
 1. *A recommendation by the board of the estimated amount necessary to fully fund to completion each project identified by the board; and*
 2. *Strategies developed by the board to ensure a long-term investment solution for projects to improve or modernize state agency information technology systems are in place, including strategies to:*
 - a. *Access the full amount of federal moneys available for those projects; and*
 - b. *Use information gathered by the department during previous projects to improve the management, oversight, and transparency of future projects.*

Veto Overridden March 30, 2023.