

SENATE BILL No. 57

By Senators Petersen and Holland

1-30

1 AN ACT concerning state agencies; relating to contracts for information
2 technology projects; review by the joint committee on information
3 technology; amending K.S.A. 46-2102 and K.S.A. 2018 Supp. 75-7209
4 and repealing the existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 46-2102 is hereby amended to read as follows: 46-
8 2102. In addition to other powers and duties authorized or prescribed by
9 law or by the legislative coordinating council, the joint committee on
10 information technology shall:

11 (a) Study the use by state agencies and institutions of computers,
12 telecommunications and other information technologies;

13 (b) review new governmental computer hardware and software
14 acquisition, information storage, transmission, processing and
15 telecommunications technologies proposed by state agencies and
16 institutions, and the implementation plans therefor, including all
17 information technology project budget estimates and three-year strategic
18 information technology plans that are submitted to the joint committee
19 pursuant to K.S.A. ~~2000~~ 2018 Supp. 75-7210, and amendments thereto;

20 (c) *review and comment on all state agency information technology*
21 *projects, as defined in K.S.A. 2018 Supp. 75-7201, and amendments*
22 *thereto, and the corresponding contracts for information technology*
23 *projects of \$3,000,000 or more prior to entering into such contracts;*

24 (d) make recommendations on all such implementation plans, budget
25 estimates, *state agency contracts for information technology projects* and
26 three-year plans to the ways and means committee of the senate and the
27 committee on appropriations of the house of representatives;

28 ~~(d)~~(e) study the progress and results of all newly implemented
29 governmental computer hardware and software, information storage,
30 transmission, processing and telecommunications technologies of state
31 agencies and institutions including all information technology projects for
32 state agencies which have been authorized or for which appropriations
33 have been approved by the legislature; and

34 ~~(e)~~(f) make an annual report to the legislative coordinating council as
35 provided in K.S.A. 46-1207, and amendments thereto, and such special
36 reports to committees of the house of representatives and senate as are

1 deemed appropriate by the joint committee.

2 Sec. 2. K.S.A. 2018 Supp. 75-7209 is hereby amended to read as
3 follows: 75-7209. (a) Whenever an agency proposes an information
4 technology project, such agency shall prepare and submit to the chief
5 information technology officer of the branch of state government of which
6 the agency is a part of a project budget estimate therefor, and for each
7 amendment or revision thereof, in accordance with this section. Each
8 information technology project budget estimate shall be in such form as
9 required by the director of the budget, in consultation with the chief
10 information technology architect, and by this section. In each case, the
11 agency shall prepare and include as a part of such project budget estimate
12 a plan consisting of a written program statement describing the project.
13 The program statement shall:

14 (1) Include a detailed description of and justification for the project,
15 including: (A) An analysis of the programs, activities and other needs and
16 intended uses for the additional or improved information technology; (B) a
17 statement of project scope including identification of the organizations and
18 individuals to be affected by the project and a definition of the
19 functionality to result from the project; and (C) an analysis of the
20 alternative means by which such information technology needs and uses
21 could be satisfied;

22 (2) describe the tasks and schedule for the project and for each phase
23 of the project, if the project is to be completed in more than one phase;

24 (3) include a financial plan showing: (A) The proposed source of
25 funding and categorized expenditures for each phase of the project; and
26 (B) cost estimates for any needs analyses or other investigations,
27 consulting or other professional services, computer programs, data,
28 equipment, buildings or major repairs or improvements to buildings and
29 other items or services necessary for the project; and

30 (4) include a cost-benefit statement based on an analysis of
31 qualitative as well as financial benefits.

32 (b) (1) Before one or more state agencies proposing an information
33 technology project begin implementation of the project, the project plan,
34 including the architecture and the cost-benefit analysis, shall be approved
35 by the head of each state agency proposing the project and by the chief
36 information technology officer of each branch of state government of
37 which the agency or agencies are a part. Approval of those projects that
38 involve telecommunications services shall also be subject to the provisions
39 of K.S.A. 75-4709, 75-4710 and 75-4712, and amendments thereto.

40 (2) All specifications for bids or proposals related to an approved
41 information technology project of one or more state agencies shall be
42 reviewed by the chief information technology officer of each branch of
43 state government of which the agency or agencies are a part.

1 (3) *Before a state agency enters into a contract for an information*
2 *technology project of \$3,000,000 or more, the agency shall:*

3 (A) *Submit information concerning the project and the contract to the*
4 *joint committee on information technology; and*

5 (B) *allow for an opportunity for the committee to review the project*
6 *and the contract and provide comments to the agency.*

7 (4) (A) Agencies are prohibited from contracting with a vendor to
8 implement the project if that vendor prepared or assisted in the preparation
9 of the program statement required under subsection (a), the project
10 planning documents required under subsection (b)(1), or any other project
11 plans prepared prior to the project being approved by the chief information
12 technology officer as required under subsection (b)(1).

13 (B) Information technology projects with an estimated cumulative
14 cost of less than \$5,000,000 are exempted from the provisions of
15 subparagraph (A).

16 (C) The provisions of subparagraph (A) may be waived with prior
17 written permission from the chief information technology officer.

18 (c) Annually at the time specified by the chief information technology
19 officer of the branch of state government of which the agency is a part,
20 each agency shall submit to such officer:

21 (1) A copy of a three-year strategic information technology plan that
22 sets forth the agency's current and future information technology needs
23 and utilization plans for the next three ensuing fiscal years, in such form
24 and containing such additional information as prescribed by the chief
25 information technology officer; and

26 (2) any deviations from the state information technology architecture
27 adopted by the information technology executive council.

28 (d) The provisions of this section shall not apply to the information
29 network of Kansas (INK).

30 Sec. 3. K.S.A. 46-2102 and K.S.A. 2018 Supp. 75-7209 are hereby
31 repealed.

32 Sec. 4. This act shall take effect and be in force from and after its
33 publication in the statute book.