

FIRST REGULAR SESSION

SENATE BILL NO. 88

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Pre-filed December 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0141S.011

AN ACT

To repeal sections 210.870 and 620.1580, RSMo, and to enact in lieu thereof six new sections relating to the creation of the office of enterprise technology.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 210.870 and 620.1580, RSMo, are repealed and six new
2 sections enacted in lieu thereof, to be known as sections 37.780, 37.783, 37.786,
3 37.789, 210.870 and 620.1580, to read as follows:

**37.780. 1. There is hereby created within the office of
2 administration an "Office of Enterprise Technology", referred to in
3 sections 37.780 to 37.789 as the "office". The office shall be headed by a
4 state chief information officer who shall be appointed by the governor,
5 with the advice and consent of the senate.**

6 2. The office may:

**7 (1) Enter into contracts for goods or services with public or
8 private organizations and charge fees for services it provides;**

9 (2) Apply for, receive, and expend money from public agencies;

**10 (3) Apply for, accept, and disburse grants and other types of aid
11 from the federal government and other public or private sources;**

**12 (4) Enter into contracts with agencies of the federal government,
13 local governmental units, the University of Missouri and other
14 educational institutions, and private persons and other
15 nongovernmental organizations as necessary to perform its statutory
16 duties;**

**17 (5) Appoint committees and task forces of not more than two
18 years' duration to assist the office in carrying out its duties;**

19 (6) Sponsor and conduct conferences and studies, collect and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 disseminate information, and issue reports relating to information and
21 communications technology issues;

22 (7) Participate in the activities of standards bodies and other
23 appropriate conferences related to information and communications
24 technology issues;

25 (8) Review the technology infrastructure of regions of the state
26 and cooperate with and make recommendations to the governor, general
27 assembly, state agencies, local governments, local technology
28 development agencies, the federal government, private businesses, and
29 individuals for the realization of information and communications
30 technology infrastructure development potential;

31 (9) Sponsor, support, and facilitate innovative and collaborative
32 economic and community development and government services
33 projects, including technology initiatives related to culture and the arts,
34 with public and private organizations; and

35 (10) Review and recommend alternative sourcing strategies for
36 state information and communications systems.

37 3. (1) The office shall:

38 (a) Manage the efficient and effective use of available federal,
39 state, local, and public and private resources to develop statewide
40 information and telecommunications technology systems and services
41 and its infrastructure;

42 (b) Approve state agency and intergovernmental information and
43 telecommunications technology systems and services, development
44 efforts involving state or intergovernmental funding, including federal
45 funding;

46 (c) Provide information to the general assembly regarding
47 projects reviewed, and recommend projects for inclusion in the
48 governor's budget under section 33.280, RSMo;

49 (d) Ensure cooperation and collaboration among the state and
50 local governments in developing intergovernmental information and
51 telecommunications technology systems and services, and define the
52 structure and responsibilities of a representative governance structure;

53 (e) Cooperate and collaborate with the legislative and judicial
54 branches in the development of information and communications
55 systems in those branches;

56 (f) Promote and collaborate with the state's agencies in the state's

57 transition to an effectively competitive telecommunications market;

58 (g) Collaborate with entities carrying out education and lifelong
59 learning initiatives to assist Missourians in developing technical literacy
60 and obtaining access to ongoing learning resources;

61 (h) Promote and coordinate public information access and
62 network initiatives to connect Missouri's citizens and communities to
63 each other, to their governments, and to the world;

64 (i) Promote and coordinate electronic commerce initiatives to
65 ensure that Missouri businesses and citizens can successfully compete
66 in the global economy;

67 (j) Manage and promote the regular and periodic reinvestment in
68 the information and telecommunications technology systems and
69 services infrastructure so that state and local government agencies can
70 effectively and efficiently serve their customers;

71 (k) Facilitate the cooperative development of and ensure
72 compliance with standards and policies for information and
73 telecommunications technology systems and services, electronic data
74 practices and privacy, and electronic commerce among international,
75 national, state, and local public and private organizations;

76 (l) Eliminate unnecessary duplication of existing information and
77 telecommunications technology systems and services provided by other
78 public and private organizations while building on the existing
79 governmental, educational, business, health care, and economic
80 development infrastructures;

81 (m) Identify, sponsor, develop, and execute shared information
82 and telecommunications technology projects and ongoing operations;
83 and

84 (n) Ensure overall security of the state's information and
85 technology systems and services.

86 (2) The chief information officer, in consultation with the
87 commissioner of the office of administration, shall determine when it is
88 cost-effective for agencies to develop and use shared information and
89 telecommunications technology systems and services for the delivery of
90 electronic government services. The chief information officer may
91 require agencies to use shared information and telecommunications
92 technology systems and services. The chief information officer shall
93 establish reimbursement rates in cooperation with the commissioner of

94 the office of administration to be billed to agencies and other
95 governmental entities sufficient to cover the actual development,
96 operating, maintenance, and administrative costs of the shared
97 systems. The methodology for billing may include the use of interagency
98 agreements, or other means as allowed by law.

37.783. 1. For the purposes of sections 37.780 to 37.789, the
2 following terms shall mean:

3 (1) "Information and telecommunications technology systems and
4 services", all computing and telecommunications hardware and software,
5 the activities undertaken to secure that hardware and software, and the
6 activities undertaken to acquire, transport, process, analyze, store,
7 and disseminate information electronically. "Information and
8 telecommunications technology systems and services" includes all
9 proposed expenditures for computing and telecommunications hardware
10 and software, security for that hardware and software, and related
11 consulting or other professional services;

12 (2) "Information and telecommunications technology project", an
13 effort to acquire or produce information and telecommunications
14 technology systems and services;

15 (3) "Telecommunications", voice, video, and data electronic
16 transmissions transported by wire, wireless, fiber-optic, radio, or other
17 available transport technology;

18 (4) "Cyber security", the protection of data and systems in
19 networks connected to the Internet.

20 2. The chief information officer shall coordinate the state's
21 information and telecommunications technology systems and services to
22 serve the needs of the state government. The chief information officer
23 shall:

24 (1) Design a master plan for information and telecommunications
25 technology systems and services in the state and its political
26 subdivisions and shall report on the plan to the governor and general
27 assembly by January 1 of each year;

28 (2) Coordinate, review, and approve all information and
29 telecommunications technology projects and oversee the state's
30 information and telecommunications technology systems and services;

31 (3) Establish and enforce compliance with standards for
32 information and telecommunications technology systems and services

33 that are cost-effective and support open systems environments and that
34 are compatible with state, national, and international standards;

35 (4) Maintain a library of systems and programs developed by the
36 state and its political subdivisions for use by agencies of government;

37 (5) Direct and manage the shared operations of the state's
38 information and telecommunications technology systems and services;
39 and

40 (6) Establish and enforce standards and ensure acquisition of
41 hardware and software necessary to protect data and systems in state
42 agency networks connected to the Internet.

43 3. A state agency may not undertake an information and
44 telecommunications technology project until it has been evaluated
45 according to the procedures developed under subsection 4 of this
46 section. The chief information officer shall give written approval of the
47 proposed project. When notified by the chief information officer that a
48 project has not been approved, the commissioner of the office of
49 administration shall cancel the unencumbered balance of any
50 appropriation allotted for the project.

51 4. The chief information officer shall establish and, as necessary,
52 update and modify procedures to evaluate information and
53 communications projects proposed by state agencies. The evaluation
54 procedure must assess the necessity, design and plan for development,
55 ability to meet user requirements, feasibility and flexibility of the
56 proposed data processing device or system, its relationship to other state
57 data processing devices or systems, and its costs and benefits when
58 considered by itself and when compared with other options.

59 5. The chief information officer shall submit to the general
60 assembly, at the same time as the governor's budget required by section
61 33.280, RSMo, a concise narrative explanation of any information and
62 communication technology project that involves collaboration between
63 state agencies and an explanation of how the budget requests of the
64 several agencies collaborating on the project relate to each other.

65 6. The chief information officer shall establish and, as necessary,
66 update and modify methods for developing information and
67 communications systems appropriate to the specific needs of individual
68 state agencies. The development methods shall be used to define the
69 design, programming, and implementation of systems. The development

70 methods must also enable and require a data processing system to be
71 defined in terms of its computer programs, input requirements, output
72 formats, administrative procedures, and processing frequencies.

73 7. In consultation with the attorney general and appropriate
74 agency heads, the chief information officer shall develop cyber security
75 policies, guidelines, and standards, and shall install and administer state
76 data security systems on the state's computer facilities consistent with
77 these policies, guidelines, standards, and state law to ensure the
78 integrity of computer-based and other data and to ensure applicable
79 limitations on access to data, consistent with the provisions of chapter
80 610, RSMo. The chief information officer is responsible for overall
81 security of state agency networks connected to the Internet. Each
82 department or agency head is responsible for the security of the
83 department's or agency's data.

84 8. The chief information officer may join with the federal
85 government, other states, local governments, and organizations
86 representing those groups either jointly or severally in the development
87 and implementation of systems analysis, information services, and
88 computerization projects.

37.786. A state agency that implements electronic government
2 services for fees, licenses, sales, or other purposes must use a single
3 entry site created by the chief information officer for all agencies to use
4 for electronic government services.

37.789. The chief information officer shall develop and implement
2 a system under which:

3 (1) State business can be conducted and permits or licenses
4 obtained through electronic communication with the appropriate state
5 agencies; and

6 (2) Applications for grants can be made electronically to state
7 agencies when feasible.

210.870. 1. There is hereby established the "Juvenile Information
2 Governance Commission".

3 2. The commission shall be composed of the following members:

- 4 (1) The director of the department of mental health;
- 5 (2) The director of the department of health and senior services;
- 6 (3) The commissioner of education;
- 7 (4) The director of the department of social services;

8 (5) The director of the division of family services of the department of
9 social services;

10 (6) The director of the division of youth services of the department of
11 social services;

12 (7) The state courts administrator;

13 (8) The superintendent of the highway patrol;

14 (9) The chief information officer of the office of [information] **enterprise**
15 technology of the office of administration;

16 (10) One judge who hears juvenile cases in a circuit comprised of one
17 county of the first classification, appointed by the chief justice of the supreme
18 court;

19 (11) One judge who hears juvenile cases in a circuit comprised of more
20 than one county, appointed by the chief justice of the supreme court;

21 (12) One juvenile officer representing a circuit comprised of one county of
22 the first classification, appointed by the chief justice of the supreme court;

23 (13) One juvenile officer representing a circuit comprised of more than one
24 county, appointed by the chief justice of the supreme court.

25 3. The commission shall authorize categories of information to be shared
26 between executive agencies and juvenile and family divisions of the circuit courts
27 pursuant to section 210.865. The commission shall provide vision, strategy, policy
28 approval and oversight for development and implementation of agency, law
29 enforcement and juvenile and family court information sharing. The commission
30 may appoint subcommittees to address technical and policy issues associated with
31 information sharing, communication, development and implementation.

32 4. The state courts administrator or a designee shall chair the
33 commission.

34 5. The commission shall meet as determined by the chair but not less than
35 semiannually. A majority of the members of the commission shall constitute a
36 quorum.

37 6. No member of the commission shall receive compensation for the
38 performance of duties associated with membership on the commission.

39 7. Official minutes of all commission meetings shall be prepared by the
40 chair, distributed to the members and filed by the state courts administrator.

41 8. The commission shall, on January 1, 2002, and annually thereafter on
42 January first of each succeeding year, transmit a report summarizing the
43 commission's findings to the general assembly.

620.1580. 1. There is hereby established within the department of

2 economic development the "Advisory Committee for Electronic Commerce". The
3 purpose of the committee shall be to advise the various agencies of the state of
4 Missouri on issues related to electronic commerce.

5 2. The committee shall be composed of thirteen members, who shall be
6 appointed by the director of the department of economic development, as follows:

7 (1) One member shall be the director of the department of economic
8 development;

9 (2) One member shall be an employee of the department of revenue;

10 (3) One member shall be an employee of the department of labor and
11 industrial relations;

12 (4) One member shall be the secretary of state;

13 (5) One member shall be the chief information officer for the office of
14 **enterprise** technology;

15 (6) Seven members shall be from the business community, with at least
16 one such member being from an organization representative of industry, and with
17 at least one such member being from an organization representative of
18 independent businesses, and with at least one such member being from an
19 organization representative of retail business, and with at least one such member
20 being from an organization representative of local or regional commerce; and

21 (7) One member shall be from the public at large.

22 3. The members of the committee shall serve for terms of two years
23 duration, and may be reappointed at the discretion of the director of the
24 department of economic development. Members of the committee shall not be
25 compensated for their services, but shall be reimbursed for actual and necessary
26 expenses incurred in the performance of their service on the committee.

27 4. The director of the department of economic development shall serve as
28 chair of the committee and shall designate an employee or employees of the
29 department of economic development to staff the committee, or to chair the
30 committee in the director's absence.

31 5. The committee shall meet at such places and times as are designated
32 by the director of the department of economic development, but shall not meet
33 less than twice per calendar year.

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