

2020 First Extraordinary Session

HOUSE BILL NO. 6

BY REPRESENTATIVE IVEY

FUNDS/FUNDING: Establishes the State Cybersecurity and Information Technology Fund and dedicates revenues to the fund (Items #10 and #11)

1 AN ACT

2 To enact Subpart C-1 of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 39:15.7, relative to state funds; to establish
4 the State Cybersecurity and Information Technology Fund; to provide for the
5 dedication and use of monies in the fund; to provide for deposits into the fund; to
6 provide for the powers and duties of the Joint Legislative Committee on the Budget
7 and the Joint Legislative Committee on Technology and Cybersecurity; to provide
8 restrictions on use of the monies; to provide for effectiveness; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Subpart C-1 of Part I of Chapter 1 of Subtitle I of Title 39 of the
12 Louisiana Revised Statutes of 1950, comprised of R.S. 39:15.7, is hereby enacted to read as
13 follows:

14 SUBPART C-1. STATE CYBERSECURITY AND
15 INFORMATION TECHNOLOGY FUND

16 §15.7. State Cybersecurity and Information Technology Fund

17 A. The State Cybersecurity and Information Technology Fund, hereinafter
18 referred to as the "fund", is hereby established in the state treasury as a special fund.

19 B.(1) Except as provided in Paragraph (2) of this Subsection, the treasurer
20 shall deposit an amount equal to one hundredth of one percent of all revenues that

1 flow through the Bond Security and Redemption Fund as provided for in Article VII,
2 Section 9(B) of the Constitution of Louisiana for appropriation from the state general
3 fund into the fund.

4 (2) Monies in the state general fund that are received by the state or by any
5 state board, agency, or commission, but pledged in connection with the issuance of
6 bonds shall not be deposited into the fund.

7 (3) All unexpended and unencumbered monies in the fund at the end of the
8 fiscal year shall remain in the fund. Monies deposited into the fund shall be
9 permanently credited to the fund and shall be invested by the treasurer in a manner
10 provided for by law and any earnings realized on investment of money in the fund
11 shall be deposited in and credited to the fund.

12 C.(1) Monies in the fund may only be expended on projects approved by the
13 Joint Legislative Committee on Technology and Cybersecurity, or its successor.

14 (2) No later than October 1, 2022, and October first each year thereafter, the
15 office of technology services shall provide a proposed list of projects for the coming
16 fiscal year to the Joint Legislative Committee on Technology and Cybersecurity.

17 (3) The committee shall hold public meetings for the purpose of reviewing
18 priorities for the coming fiscal year.

19 (4) At each public meeting, the office of technology services shall provide
20 the committee with the following details on each proposed project:

21 (a) The total projected cost.

22 (b) Whether federal funds are available to help fund all or a portion of the
23 project.

24 (c) The projected time line for completion.

25 (5) No later than January first of each year, the committee shall submit a list
26 of recommended projects to the speaker of the House of Representatives, the
27 president of the Senate, the chairman of the House Committee on Appropriations and
28 the chairman of the Senate Committee on Finance.

1 (6) The Joint Legislative Committee on the Budget shall meet no later than
2 January thirty-first of each year to approve the Joint Legislative Committee on
3 Technology and Cybersecurity's project recommendations and allocate monies from
4 the fund for the approved projects. Approval shall require a majority vote of the
5 Joint Legislative Committee on the Budget. Prior to approval, the Joint Legislative
6 Committee on the Budget may delete projects from the recommendation list. In no
7 event shall it add any projects to the list, nor shall it make substitutions for projects
8 which have been removed without approval from the Joint Legislative Committee
9 on Technology and Cybersecurity.

10 Section 2. This Act shall become effective on July 1, 2021.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 6 Engrossed

2020 First Extraordinary Session

Ivey

Abstract: Establishes the State Cybersecurity and Information Technology Fund as a special treasury fund, deposits into the fund 0.01% of monies that flow through the Bond Security and Redemption Fund, and dedicates the money to support the state's information technology infrastructure and cybersecurity needs.

Proposed law establishes the State Cybersecurity and Information Technology Fund (fund) as a special fund within the state treasury. Further provides that the fund shall be comprised of 0.01% of monies that flow through the Bond Security and Redemption Fund for appropriation from the state general fund, except for monies pledged in connection with issuance of bonds.

Proposed law authorizes money in the fund to be invested by the treasurer. Further reinvests into the fund any interest earned on investment of the fund corpus.

Proposed law provides that monies in the fund may only be expended on projects approved by the Joint Legislative Committee on Technology and Cybersecurity (JLCTC). Further establishes a procedure and deadlines for approval of projects to be financed by the fund. Requires the office of technology services to provide a list of possible projects to the JLCTC no later than Oct. 1. Requires JLCTC to hold public hearings on the proposed projects and submit a final list of recommended projects to the Joint Legislative Committee on the Budget (JLCB) by Jan. 1. Requires JLCB to meet and approve the list, by majority vote, no later than Jan. 31. Further provides that JLCB may delete projects from the list prior to approval, but may not add projects to the list without JLCTC approval.

Effective July 1, 2021.

(Adds R.S. 39:15.7)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Decrease amount deposited into the fund from 0.35% of monies that flow through the Bond Security and Redemption Fund to 0.01% of monies that flow through the Bond Security and Redemption Fund.
2. Remove provisions authorizing the legislature to establish a committee to assist in identifying and prioritizing projects to be financed by the fund.
3. Add provision outlining process for the office of technology services to provide a list of proposed projects to be financed by the fund to the Joint Legislative Committee on Technology and Cybersecurity (JLCTC). Further requires Joint Legislative Committee on the Budget to approve the final list of projects proposed by the JLCTC.