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. All unexpended and unencumbered monies in the fund at the end of the

20   fiscal year shall remain in the fund. Monies deposited into the fund shall be

1   permanently credited to the fund and shall be invested by the treasurer in a manner

2   provided for by law and any earnings realized on investment of money in the fund

3   shall be deposited in and credited to the fund.

4   C.(1) Monies in the fund may be expended only on projects approved by the

5   Joint Legislative Committee on Technology and Cybersecurity, or its successor.

6   (2) No later than October 1, 2022, and October first each year thereafter, the

7   office of technology services shall provide a proposed list of projects for the coming

8   fiscal year to the Joint Legislative Committee on Technology and Cybersecurity.

9   (3) The committee shall hold public meetings for the purpose of reviewing

10 priorities for the coming fiscal year.

11 (4) At each public meeting, the office of technology services shall provide

12 the committee with the following details on each proposed project:

13 (a) The total projected cost.

14 (b) Whether federal funds are available to help fund all or a portion of the

15 project.

16 (c) The projected time line for completion.

17 (5) No later than January first of each year, the committee shall submit a list

18 of recommended projects to the speaker of the House of Representatives, the

19 president of the Senate, the chairman of the House Committee on Appropriations and

20 the chairman of the Senate Committee on Finance.

21 (6) The Joint Legislative Committee on the Budget shall meet no later than

22 January thirty-first of each year to approve the Joint Legislative Committee on

23 Technology and Cybersecurity's project recommendations and allocate monies from

24 the fund for the approved projects. Approval shall require a majority vote of the

25 Joint Legislative Committee on the Budget. Prior to approval, the Joint Legislative

26 Committee on the Budget may delete projects from the recommendation list. In no

27 event shall it add any projects to the list, nor shall it make substitutions for projects

28 which have been removed without approval from the Joint Legislative Committee

29 on Technology and Cybersecurity.

1   Section 2. This Act shall become effective upon signature by the governor or, if not

2   signed by the governor, upon expiration of the time for bills to become law without signature

3   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

4   vetoed by the governor and subsequently approved by the legislature, this Act shall become

5   effective on the day following such approval.

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 Reengrossed   2020 First Extraordinary Session   Ivey

Abstract: Establishes the State Cybersecurity and Information Technology Fund as a
special treasury fund to finance projects supporting 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.

Proposed law does not designate a funding source for the fund, but authorizes any money
that is deposited into 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 upon signature of governor or lapse of time for gubernatorial action.

(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.

The House Floor Amendments to the engrossed bill:

1.   Remove provision dedicating 0.01% of all monies that flow through the Bond Security and Redemption Fund to the fund.

2.   Change effective date from July 1, 2021 to upon signature of the governor.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.