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## DIGEST

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HB 636 Engrossed

2020 Regular Session

Ivey

**Abstract:** Creates and provides for the powers, functions, and duties of the Joint Legislative Committee on Technology and Cybersecurity to assist the legislature in the evaluation and oversight over matters involving information technology for the state and its political subdivisions.

Proposed law creates and provides for the powers, functions, and duties of the Joint Legislative Committee on Technology and Cybersecurity (committee) to assist the legislature in the evaluation and oversight of matters regarding information technology for the state and its political subdivisions. Defines "information technology" broadly for its purposes. Authorizes the legislature, by concurrent resolution, to include other matters within the committee's scope of authority.

Proposed law provides that the committee shall be composed of five members of the House appointed by the speaker and five members of the Senate appointed by the president. Provides that in making these appointments, the presiding officers shall appoint members with technological knowledge and experience, to the extent possible. Provides that no action shall be taken by the committee or a subcommittee thereof except by the favorable vote of a majority of the members thereof from each house present and voting, each house voting separately, or a quorum of the committee or subcommittee being present. Provides that the committee shall select a chairman and a vice chairman and such other officers as it deems necessary, and that the members of the committee shall receive the same per diem and travel allowance in the performance of their duties as is provided for standing committees of the legislature.

Proposed law provides that the committee may:

- (1) Study and examine matters pertaining to information technology of the state and its political subdivisions, as deemed appropriate by the committee or the legislature.
- (2) Review the needs and performance of the office of technology services and make periodic recommendations to the legislature and the governor regarding the office and the state master information technology plan.
- (3) Make continuing study and examination of matters pertaining to the information technology and make reports and recommendations as it or the legislature deems advisable.

Proposed law provides that the committee shall:

- (1) Assess all cybersecurity risks facing public entities in La. and work with law enforcement and the office of technology services to develop recommendations and strategies to mitigate the damage to the public relative to those cybersecurity risks.
- (2) Review cybersecurity investments and expenditures and make recommendations.

Proposed law provides that the committee shall hold any confidential, proprietary, or security sensitive information confidential and may discuss such information in executive session with appropriate notice in accordance with the Open Meetings Law. Provides that the committee may adopt rules and regulations governing its procedures, policies, meetings, and any and all other activities relating to its functions and duties.

Proposed law further provides that at the request of the Joint Legislative Committee on the Budget (JLCB), the committee shall review any budget request or expenditure request related to technology or cybersecurity and shall submit its comments and recommendations regarding the request to JLCB in a timely manner. Provides that an agency head shall submit any request by an agency to deviate from normal or standard technology procurement processes to the committee for review. Authorizes the committee to study technology fees and expenditures of funds related to technology from dedicated funds.

Proposed law requires all agencies and political subdivisions to assist the committee in its work and to provide all information and services as may be requested by the committee. Further grants the committee authority to hold hearings, subpoena witnesses, administer oaths, and do all things necessary to discharge its duties and responsibilities. Provides that the committee may employ professional, clerical, and other personnel, and incur such expenses as are necessary for carrying out its duties and responsibilities. Requires the staff of the House and Senate to assist the committee. Provides that the committee shall be audited annually by the legislative auditor.

Proposed law requires the presiding officers to appoint the committee members no later than 30 days after the effective date of proposed law and to jointly call the organizational meeting of the committee no later than Sept. 15, 2020.

(Adds R.S. 24:671-676)

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Increase the number of members appointed by the president of the Senate from four to five.
2. Authorize rather than mandate the committee to study and examine matters pertaining to information technology of the state, to review the needs and performance of the office of technology services, and to make certain reports and recommendations; remove the requirement for the committee to make quarterly reports.
3. Remove requirement that agencies submit documentation regarding grants and donations of technology goods and services for review.
4. Remove specific function of committee to assist the legislature in setting information technology priorities.
5. Remove "planning for" from the definition of "information technology".