

2020 Regular Session

HOUSE BILL NO. 636

BY REPRESENTATIVE IVEY

# ACT No. 301

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## AN ACT

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To enact Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 676, relative to the legislature; to create and provide for the Joint Legislative Committee on Technology and Cybersecurity; to provide for its membership, powers, functions, and duties; to require public entities to provide information, data, and assistance to the committee; and to provide for related matters.

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Be it enacted by the Legislature of Louisiana:

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Section 1. Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:671 through 676, is hereby enacted to read as follows:

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### CHAPTER 11. JOINT LEGISLATIVE COMMITTEE

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#### ON TECHNOLOGY AND CYBERSECURITY

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##### §671. Committee created; membership and composition

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A. The Joint Legislative Committee on Technology and Cybersecurity, hereinafter referred to as the "committee", is hereby created and established to assist the legislature in the evaluation and oversight of matters involving information technology for the state and its political subdivisions as deemed appropriate by the committee or the legislature.

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B.(1) For purposes of this Chapter the phrase "information technology" shall include the equipment, services, and means necessary to provide:

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(a) Telecommunications systems and services.

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(b) Network systems and services.

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(c) Server systems and services.

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(d) Storage systems and services.

1                             (e) Information technology security systems and services.  
2                             (f) Related peripheral systems and services.  
3                             (g) Software and software application services.  
4                             (h) Infrastructure and platform systems and services.  
5                             (i) Desktop computing systems and services.  
6                             (j) Geographic information systems and services.  
7                             (k) Mobile device systems and services.  
8                             (l) Video systems and services.  
9                             (m) Radio systems.  
10                             (n) Any and all systems and services based on emerging and future  
11                             information technologies relating to Subparagraphs (a) through (m) of this  
12                             Paragraph.  
13                             (2) The legislature, by concurrent resolution, may include other matters  
14                             within the committee's scope of authority.

15                             C. The committee shall be composed of five members of the House of  
16                             Representatives appointed by the speaker of the House of Representatives and five  
17                             members of the Senate appointed by the president of the Senate. In making these  
18                             appointments, the presiding officers shall appoint members with technological  
19                             knowledge and experience, to the extent possible.

20                             D. No action shall be taken by the committee or by a subcommittee thereof,  
21                             except by the favorable vote of a majority of the members thereof from each house  
22                             present and voting, each house voting separately, a quorum of the committee or  
23                             subcommittee being present. A quorum of a committee or a subcommittee shall  
24                             consist of a majority of the total membership thereof.

25                             E. The committee shall select a chairman and a vice chairman, and such  
26                             other officers as it deems necessary.

27                             F. The members of the committee shall receive the same per diem and travel  
28                             allowance in the performance of their duties as is provided for standing committees  
29                             of the legislature.

1           §672. Duties and functions

2           A. The committee may study and examine matters pertaining to information  
3           technology of the state and its political subdivisions as deemed appropriate by the  
4           committee or the legislature.

5           B. The committee may review the needs and performance of the office of  
6           technology services and make periodic recommendations to the legislature and the  
7           governor regarding the office and the state master information technology plan.

8           C.(1) The committee shall assess all cybersecurity risks facing public entities  
9           in Louisiana, including the potential likelihood, frequency, and severity of  
10          cyberattacks and data breaches. The committee shall work with law enforcement  
11          and the office of technology services and develop recommendations and strategies  
12          to mitigate the damage to the public relative to those cybersecurity risks.

13          (2) The committee shall review cybersecurity investments and expenditures  
14          and make recommendations, where appropriate.

15          D. The committee may make such continuing study and examination of  
16          matters pertaining to the information technology of the state and its agencies, and  
17          make reports and recommendations to the legislature as the committee or legislature  
18          deems advisable. The committee may make such studies and hold such hearings  
19          with respect to information technology as it deems necessary and appropriate to carry  
20          out its duties and functions.

21          E. Any information received by the committee containing confidential,  
22          proprietary, or security sensitive information shall be held confidential and the  
23          committee may discuss such information in executive session with appropriate notice  
24          in accordance with the Open Meetings Law.

25          F. The committee may adopt rules and regulations prescribing and governing  
26          its procedures, policies, meetings, and any and all other activities relating to its  
27          functions and duties.

1           §673. Budget requests and expenditure requests; technology funds, fees, and  
2           donations; review

3           A. At the request of the Joint Legislative Committee on the Budget, the  
4           committee shall review any budget request or expenditure request related to  
5           technology or cybersecurity. The committee shall perform its review and submit its  
6           comments and recommendations regarding the request to the Joint Legislative  
7           Committee on the Budget in a timely manner.

8           B. Each agency shall submit any request by the agency to deviate from  
9           normal or standard technology procurement processes to the committee for review.

10           C. The committee may review all technology fees and expenditures related  
11           to information technology from dedicated funds and shall report its findings and  
12           recommendations as it deems appropriate.

13           §674. State agencies, political subdivisions; assistance to committee

14           A. All agencies, boards, commissions, and departments of the state and of  
15           any of its political subdivisions, shall assist the committee in its work and furnish  
16           such information, reports, aid, services, and assistance as may be requested by the  
17           committee.

18           B. In order to assist the committee in its study and examination of  
19           information technology required by this Chapter, each public entity shall provide to  
20           the committee, upon request, any information the committee requests regarding the  
21           entity's information technology.

22           §675. Powers

23           The committee shall have the power and authority to hold hearings, subpoena  
24           witnesses, administer oaths, require the production of books and records, and do all  
25           other things necessary to discharge its duties and responsibilities, including the  
26           power to punish for contempt and to initiate the prosecution, in accordance with the  
27           laws of this state, of any individual who refuses to testify or is charged with false  
28           swearing or perjury before the committee.

1           §676. Staff assistance

2           A. The staff of the House of Representatives and of the Senate shall assist  
3           the committee in the performance of its duties and functions.

4           B. The committee shall request funds from the Legislative Budgetary  
5           Control Council in the event that professional experts are necessary for carrying out  
6           its duties and functions.

7           C. The books and records of the committee shall be audited annually by the  
8           legislative auditor.

9           Section 2. No later than thirty days after the effective date of this Act, the presiding  
10          officers of the legislature shall appoint the members of the Joint Legislative Committee on  
11          Technology and Cybersecurity in the manner provided by the provisions of Section 1 of this  
12          Act and jointly shall call the organization meeting of the Joint Legislative Committee on  
13          Technology and Cybersecurity no later than September 15, 2020.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_