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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jay R. Lueckel.

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## DIGEST

Donahue (SB 481)

Present law provides for the office of information technology.

Proposed law recreates this office as the office of technology services. Provides for the office of technology services within the executive branch of state government.

Present law provides for the chief information officer who is referred to as the "CIO". Provides that the CIO shall be appointed by the governor and report to the commissioner of administration concerning the direction, stewardship, leadership, and oversight of information technology and information resources.

Proposed law provides that nothing in these provisions shall apply to the public postsecondary management boards or the Board of Regents as provided in Article VIII of the Constitution of Louisiana. Exempts elected officials from the authority of the office of technology services and the state chief information officer.

Present law provides relative to elected officials that to accomplish the work of the office of information technology services, all agencies as defined shall cooperate with the office and provide assistance as required. However, if the office and a statewide elected official cannot jointly agree on an information technology plan, system, or service for any agency under his jurisdiction, then he may implement an information technology plan, system or service of his own, upon finding just cause to do so and after giving notice of his actions and reason therefore at a meeting of the Joint Legislative Committee on the Budget. Prior to implementation, any such information technology plan, system or service adopted by a statewide elected official shall be as compatible as is practical under the circumstances with the state master technology plan.

Proposed law provides that nothing in these provisions shall apply to the authority of any statewide elected officials relative to the authority to implement information technology plans, systems, or services for any agency under their jurisdiction.

Proposed law renames this position as state chief information officer and adds authority for the CIO to oversee operation of information technology and information resources.

Proposed law provides for additional duties and responsibilities including being responsible for establishing and coordinating all information technology systems across the executive branch of state government. Such coordination shall include telecommunications systems and services; network systems and services; server systems and services; storage systems and services; information technology security systems and services; related peripheral systems and services; software and software application services; infrastructure and platform systems and services;

desktop computing systems and services; geographic information systems and services; mobile device systems and services; video systems and services (except those specifically reserved to the Louisiana Educational Television Authority); radio systems, provided the operational abilities and priorities of two-way communications of the departments in the executive branch are not impeded; and emerging and future information technologies.

Proposed law further details the responsibilities and duties of the CIO and the office of technology services, including acting as the sole centralized customer for the acquisition, billing, and record keeping of information technology systems or services provided to state agencies; developing coordinated information technology systems or services within and among state agencies; and reviewing, coordinating, approving, or disapproving requests by state agencies for information technology procurement.

Present law provides for data processing procurement.

Proposed law changes "data processing procurement" to "information technology procurement" and provides that the CIO and the office of technology services shall have authority for defining the specific information technology systems and services which shall be applicable under information technology procurement. Proposed law provides updated definitions for information technology procurement.

Present law provides for the types of contracts permitted under data processing procurement. Proposed law changes "data processing" to "information technology" and further provides for the types and terms of contracts permitted under information technology procurement.

Present law provides for methods of procurement. Relative to multiyear contracts, requires that all multiyear information system technology contracts be reported to the Joint Legislative Committee on the Budget within ninety days after the end of each fiscal year.

Proposed law further specifies methods of procurement relative to information technology and information services to encompass requests for proposal, laws and regulations governing the state purchasing office, and other methods.

Present law provides for general procurement provisions. Provides for the establishment of master purchase contracts for equipment provided by individual manufacturers.

Proposed law removes authority for establishing non-competitive master price agreements although such competitively priced agreements shall be retained.

Proposed law clarifies the applicability of the Lease of Movable Act with respect to the leasing of information technology equipment.

Proposed law retains present law, but changes "data processing" specifications to "information technology".

Proposed law clarifies the applicability of the Lease of Movable Act with respect to the leasing of information technology equipment under the Information Technology procurement code.

Directs the La. Law Institute to review all statutes which contain the name of the office of information technology and make all changes it deems necessary to such references.

Effective July 1, 2014.

(Amends R.S. 36:4(B)(1)(e), R.S. 39:15.1, 15.2, 15.3, 196, 197, 198, 199, and 200)

### Summary of Amendments Adopted by Senate

#### Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Exempts elected officials from the authority of the office of technology services and the state chief information officer.
2. Provides for the office of technology services within the executive branch of state government.
3. Requires that all multiyear information system technology contracts be reported to the Joint Legislative Committee on the Budget within ninety days after the end of each fiscal year.
4. Directs the La. Law Institute to review all statutes which contain the name of the office of information technology and make all changes it deems necessary to such references.