

IN THE SENATE

SENATE BILL NO. 1400

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2023; APPROPRIATING MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2023; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2022; ESTABLISHING CRITERIA FOR IT CONSOLIDATION; DIRECTING AGENCY BILLING; PROVIDING REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Office of Information Technology Services the following amounts to be expended according to the designated expense classes from the listed funds for the period July 1, 2022, through June 30, 2023:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	
	COSTS	EXPENDITURES	OUTLAY	TOTAL
FROM:				
General				
Fund	\$960,000	\$710,400		\$1,670,400
Administration and Accounting Services				
Fund	<u>13,335,500</u>	<u>1,940,500</u>	<u>\$28,500</u>	<u>15,304,500</u>
TOTAL	\$14,295,500	\$2,650,900	\$28,500	\$16,974,900

SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, the Office of Information Technology Services is authorized no more than one hundred thirty-five (135.00) full-time equivalent positions at any point during the period July 1, 2022, through June 30, 2023, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

SECTION 3. In addition to the appropriation made in Section 1, Chapter 267, Laws of 2021, and any other appropriation provided by law, there is hereby appropriated to the Office of Information Technology Services \$225,000 from the General Fund to be expended for a technical audit for the period July 1, 2021, through June 30, 2022.

SECTION 4. IT CONSOLIDATION. Notwithstanding any laws to the contrary, the Office of Information Technology Services (OITS) shall not request and

1 the appropriation shall not be used to expand services to additional state
2 agencies until the following criteria is met:

3 (1) Complete a comprehensive assessment of the state's information
4 system network vulnerabilities and identification of steps to medi-
5 ate any vulnerabilities, as well as compliance with security audit
6 standards as established by the National Institute of Standards and
7 Technology and network security best management practices;

8 (2) Solicit and execute a contract for an external technical audit and
9 review of the state's information technology and telecommunication
10 systems. Such contract shall be awarded at the direction of the Idaho
11 Technology Authority pursuant to Sections 67-832 and 67-833(1), Idaho
12 Code;

13 (3) Complete a service level agreement (SLA), which shall include an
14 itemized cost to each agency for the service or services provided, with
15 all state agencies currently receiving support services and with any
16 agency before it receives support services;

17 (4) Meet all terms defined by the SLA with all state agencies currently
18 receiving support services; and

19 (5) Prepare a report to the Joint Finance-Appropriations Committee
20 (JFAC) on items (1) through (4) in this section, to be presented at
21 JFAC's spring interim meeting, if held, with a follow-up at the fall in-
22 terim meeting, if held, for deficient items. If there are deficiencies
23 in the report for any of the items listed, OITS will provide a timeline
24 in the report to cure these issues. Notwithstanding any provision of
25 law to the contrary, any portion of the report detailing network vulner-
26 abilities and their mitigation shall not be:

27 (a) Disclosed as a public record pursuant to chapter 1, title 74,
28 Idaho Code; or

29 (b) Discussed in an open meeting but may be discussed in an execu-
30 tive session of JFAC.

31 SECTION 5. AGENCY BILLING. Prior to October 1, 2022, notwithstanding
32 any laws to the contrary, the Office of Information Technology Services
33 shall provide to each billed agency, to the Legislative Services Office Bud-
34 get and Policy Analysis Division, and to the Division of Financial Manage-
35 ment a categorized list of all agency billings for fiscal year 2024. The for-
36 mat of the report and the information included therein shall be determined by
37 the Legislative Services Office Budget and Policy Analysis Division.

38 SECTION 6. REAPPROPRIATION AUTHORITY. There is hereby reappropriated
39 to Office of Information Technology Services any unexpended and unen-
40 cumbered balances appropriated to the Office of Information Technology
41 Services from the General Fund for fiscal year 2022, not to exceed \$225,000,
42 to be used for nonrecurring expenditures for a technical audit and review for
43 the period July 1, 2022, through June 30, 2023. The Office of the State Con-
44 troller shall confirm the reappropriation amount, by fund, expense class,
45 and program, with the Legislative Services Office prior to processing the
46 reappropriation authorized herein.

1 SECTION 7. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after its
3 passage and approval.