

Regular Session, 2010

SENATE BILL NO. 472

BY SENATOR MICHOT

TECHNOLOGY. Provides powers and duties for the Chief Information Officer. (7/1/10)

1 AN ACT
2 To amend and reenact R.S. 39:15.1, 140, 200(I)(2), and 1751(B) and to enact R.S.
3 39:15.2(E) and (F), 15.7, 15.8, and 144, relative to the office of information
4 technology; to provide for the powers and duties of the chief information officer and
5 the offices and staff of the office of information technology; to create the
6 Information Technology Operations Fund and the Telecommunications Operation
7 Fund as special funds in the state treasury; to provide for the uses of monies in the
8 funds; to place the office of telecommunications management within the office of
9 information technology; to provide for an effective date; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 39:15.1, 140, 200(I)(2), and 1751(B) are hereby amended and
13 reenacted and R.S. 39:15.2(E) and (F), 15.7, 15.8 and 144 are hereby enacted to read as
14 follows:

15 §15.1. Office of information technology; scope

16 The office of information technology shall have authority over all
17 information technology systems and services for agencies in the executive branch of

1 state government, except that nothing in this Subpart shall be interpreted to
 2 preempt the authorities granted to any higher education agency which may
 3 include systems, institutions, or budget units as provided in Article VIII of the
 4 Constitution of Louisiana. The office shall have no authority over the legislative
 5 or judicial branches of state government or agencies thereof.

6 §15.2. Office of information technology; chief information officer

7 * * *

8 E. All information technology personnel within the division of
 9 administration, including but not limited to personnel within the office of
 10 information systems and the office of computing services, shall be under the
 11 supervision and control of the CIO.

12 F. As further provided in R.S. 39:140, the office of telecommunications
 13 management and all personnel therein shall be under the supervision and
 14 control of the CIO.

15 * * *

16 §15.7. Information Technology Operations Fund

17 A. There is hereby created in the state treasury, as a special fund, the
 18 Information Technology Operations Fund, hereinafter referred to as the
 19 "fund." Monies in the fund shall be invested in the same manner as monies in
 20 the state general fund. Interest earned on investment of monies in the fund shall
 21 be deposited in and credited to the fund. Unexpended and unencumbered
 22 monies in the fund at the end of the fiscal year shall remain in the fund.

23 B. The source of monies deposited into the fund shall be any monies
 24 appropriated or transferred to the fund by the legislature, including federal
 25 monies, donations, gifts, grants, or any other monies which may be provided by
 26 law.

27 C. Subject to an annual appropriation by the legislature, monies in the
 28 fund shall be used solely for the purpose of the operations of the office of
 29 information technology.

Present law provides for the functions of the chief information officer.

Proposed law retains present law and also clarifies that all information technology personnel within the division of administration, including but not limited to personnel within the office of information systems and the office of computing services, shall be under the supervision and control of the CIO.

Proposed law further provides that the office of telecommunications management and all personnel therein shall be under the supervision and control of the CIO.

Proposed law creates the Information Technology Operations Fund as a special fund in the state treasury. The source of monies deposited into the fund shall be any monies appropriated or transferred to the fund by the legislature, including federal monies, donations, gifts, grants, or any other monies which may be provided by law. Subject to an annual appropriation by the legislature, monies in the fund shall be used solely for the purpose of the operations of the office of information technology.

Proposed law provides that, except for certain statewide elected officials and criminal justice personnel, the information technology employees of each state agency shall be transferred to the office of information technology within the division of administration on January 1, 2013 and shall become employees of the office. Each employee transferred shall continue to act for the state agency from which he or she was transferred and shall maintain any duties or responsibilities related to the information resources of such agency.

Proposed law provides that CIO and the information technology chief executive officer of each agency shall jointly identify the positions and functions affiliated with the management and administration of such agency's information technology resources and enterprises that will be transferred to and centralized.

Proposed law provides that any employees who are classified state employees under applicable state civil service laws, rules, and regulations, and other applicable laws at the time of the transfer shall retain all rights and their services shall be deemed to have been continuous. All transfers and any abolishment of positions shall be made and processed in accordance with applicable state civil service laws, rules, and regulations, and other applicable laws. Further, the CIO may relocate select employees or positions in furtherance of centralizing the management of information in state agencies.

Proposed law creates the Telecommunications Operations Fund as a special fund in the state treasury. The source of monies deposited into the fund shall be any monies appropriated or transferred to the fund by the legislature, including federal monies, donations, gifts, grants, or any other monies which may be provided by law. Subject to an annual appropriation by the legislature, monies in the fund shall be used solely for the purpose of the operations of the office of telecommunications.

Proposed law provides for responsibilities relative to telecommunications procurement.

Effective July 1, 2010.

(Amends R.S. 39:15.1, 140, 200(I)(2), and 1751(B); adds R.S. 39:15.2(E) and (F), 15.7, 15.8, and 144)