

# HOUSE BILL 738

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By: **Delegates Kaiser, Bartlett, Feldmark, Hill, Kerr, and Kipke**

Introduced and read first time: January 27, 2025

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Information Technology – Reporting Guidelines**

3 FOR the purpose of altering the content of certain reports by the Department of  
4 Information Technology relating to the Information Technology Investment Fund;  
5 requiring the reports to be written and structured in a certain manner and made  
6 publicly available on the Department’s website; and generally relating to reporting  
7 by the Department of Information Technology.

8 BY repealing and reenacting, without amendments,  
9 Article – State Finance and Procurement  
10 Section 3.5–309(a)  
11 Annotated Code of Maryland  
12 (2021 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – State Finance and Procurement  
15 Section 3.5–309(n) and (o)  
16 Annotated Code of Maryland  
17 (2021 Replacement Volume and 2024 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
19 That the Laws of Maryland read as follows:

20 **Article – State Finance and Procurement**

21 3.5–309.

22 (a) There is an Information Technology Investment Fund.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (n) (1) On or before [November] **OCTOBER** 1 of each year, the Secretary shall  
2 report to the Governor and the Secretary of Budget and Management and, in accordance  
3 with § 2-1257 of the State Government Article, to the Senate Budget and Taxation  
4 Committee, the Senate Committee on Education, Energy, and the Environment, the House  
5 Appropriations Committee, the House Health and Government Operations Committee, and  
6 the Joint Committee on Cybersecurity, Information Technology, and Biotechnology.

7 (2) The report shall include:

8 (i) the financial status of the Fund and a summary of its operations  
9 for the preceding fiscal year;

10 (ii) an accounting for the preceding fiscal year of all money from each  
11 of the revenue sources specified in subsection (e) of this section, including any expenditures  
12 made from the Fund; and

13 (iii) for each project receiving money from the Fund in the preceding  
14 fiscal year and for each major information technology development project or expedited  
15 project receiving funding from any source other than the Fund in the preceding fiscal year:

16 **1. A BRIEF DESCRIPTION OF THE PROJECT, INCLUDING**  
17 **MAJOR CUSTOMERS AND INTERDEPENDENCIES WITH OTHER SYSTEMS;**

18 **2. AN ANALYSIS OF HOW THE PROJECT GOALS PROVIDE**  
19 **AN ADVANTAGE OVER CURRENT AGENCY OPERATIONS, INCLUDING A DESCRIPTION**  
20 **OF KEY PROJECT GOALS, CRITICAL SUCCESS FACTORS, HOW THE PROJECT**  
21 **SUPPORTS THE BUSINESS PROCESS, AND WHETHER THE SUCCESSFUL PROJECT**  
22 **WILL PROVIDE A BASIS FOR A FUTURE PROJECT AT THE SAME OR ANY OTHER UNIT**  
23 **OF STATE GOVERNMENT;**

24 **3. A DESCRIPTION OF TECHNOLOGIES EMPLOYED IN**  
25 **THE PROJECT;**

26 **4. AN ASSESSMENT OF THE VENDOR POOL OF LIKELY**  
27 **BIDDERS OR OFFERORS;**

28 **5. A DESCRIPTION OF THE PROCESS USED TO DEVELOP**  
29 **THE PROJECT;**

30 **6. AN OVERVIEW OF THE PROJECT SCHEDULE,**  
31 **INCLUDING ANY INTERMEDIATE PROJECT DEADLINES;**

32 **[1.] 7. the status of the project and project funding**  
33 **decisions;**

1 [2.] 8. a comparison of estimated and actual costs of the  
2 project;

3 [3.] 9. any known or anticipated changes in scope or costs  
4 of the project;

5 10. A DESCRIPTION OF ANY ONGOING OPERATING  
6 EXPENSES AS A RESULT OF THE PROJECT AND A TIMELINE OF WHEN THOSE COSTS  
7 WILL BE INCURRED;

8 [4.] 11. an evaluation of whether the project is using best  
9 practices; and

10 [5.] 12. a summary of any monitoring and oversight of the  
11 project from outside the agency in which the project is being developed, including a  
12 description of any problems identified by any external review and any corrective actions  
13 taken.

14 (3) THE REPORT SUBMITTED UNDER THIS SUBSECTION SHALL BE:

15 (I) WRITTEN, AS PRACTICABLE, IN A MANNER THAT IS CLEAR,  
16 CONCISE, AND WELL-ORGANIZED AND AVOIDS TECHNICAL JARGON;

17 (II) STRUCTURED TO INCLUDE AN EXECUTIVE SUMMARY OF KEY  
18 INFORMATION THAT HIGHLIGHTS ACTION ITEMS AND DECISION POINTS; AND

19 (III) MADE PUBLICLY AVAILABLE ON THE DEPARTMENT'S  
20 WEBSITE.

21 (o) (1) On or before January 15 of each year, for each major information  
22 technology development project or expedited project currently in development or for which  
23 operations and maintenance funding is being provided in accordance with subsection (i)(3)  
24 of this section, subject to § 2-1257 of the State Government Article, the Secretary shall  
25 provide a summary report to the Department of Legislative Services with the most  
26 up-to-date project information including:

27 [(1)] (I) project funding decisions and project status, INCLUDING:

28 1. ANNUAL DEVELOPMENT COSTS;

29 2. FUNDING SOURCES; AND

30 3. ONGOING OPERATING COSTS, INCLUDING LICENSES  
31 AND SUPPORT TO MAINTAIN AND UPDATE THE SYSTEM;

1           **[(2)] (II)** any schedule, cost, and scope changes since the [last annual]  
2 report **REQUIRED UNDER SUBSECTION (N) OF THIS SECTION WAS SUBMITTED;**

3           **[(3)] (III)** a risk assessment **THAT GIVES A DETAILED DESCRIPTION OF**  
4 **THE RISK IDENTIFIED, including:**

5                       **1. TYPE OF RISK IDENTIFIED, INCLUDING AGENCY**  
6 **GOVERNANCE, STAFF RESOURCE AVAILABILITY OR TRAINING, FUNDING,**  
7 **INTERDEPENDENCIES WITH OTHER SYSTEMS, TECHNICAL ISSUES,**  
8 **ORGANIZATIONAL CULTURE, OR LONG-TERM SUPPORTABILITY; AND**

9                       **2. any problems identified by any internal or external review**  
10 **and any corrective actions taken; [and]**

11                   **(IV) PROJECT TRACKING METRICS, INCLUDING:**

12                       **1. PROJECT DEADLINES AND ASSOCIATED**  
13 **DELIVERABLES; AND**

14                       **2. A DESCRIPTION OF ANY CHANGES IN SCOPE,**  
15 **TIMELINE, AND COSTS; AND**

16           **[(4)] (V)** any change in the monitoring or oversight status.

17           **(2) THE REPORT SUBMITTED UNDER THIS SUBSECTION SHALL BE:**

18                       **(I) WRITTEN, AS PRACTICABLE, IN A MANNER THAT IS CLEAR,**  
19 **CONCISE, AND WELL-ORGANIZED AND AVOIDS TECHNICAL JARGON;**

20                       **(II) STRUCTURED TO INCLUDE AN EXECUTIVE SUMMARY OF KEY**  
21 **INFORMATION THAT HIGHLIGHTS ACTION ITEMS AND DECISION POINTS; AND**

22                       **(III) MADE PUBLICLY AVAILABLE ON THE DEPARTMENT'S**  
23 **WEBSITE.**

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
25 1, 2025.