

Senate Study Bill 1105 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED OFFICE OF THE
CHIEF INFORMATION OFFICER
BILL)

A BILL FOR

1 An Act concerning the office of the chief information officer
2 relating to designation of certain information technology
3 staff, background checks, and the technology advisory
4 council.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8B.1, subsection 13, Code 2017, is
2 amended by striking the subsection.

3 Sec. 2. Section 8B.4, Code 2017, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 2A. Designate a chief technology officer
6 and a chief information security officer for the state.
7 The chief technology officer shall have responsibility
8 for enterprise technology strategy, including information
9 technology services, information technology platforms,
10 information architecture, system integration, and technology
11 innovation. The chief information security officer shall have
12 responsibility for enterprise information security, including
13 information technology continuity of operations and disaster
14 recovery, information security awareness, information security
15 policy and standards, and information security monitoring and
16 oversight.

17 Sec. 3. NEW SECTION. **8B.4A Background checks.**

18 An applicant for employment with the office, or an applicant
19 for employment with a participating agency for a position as
20 information technology staff, may be subject to a background
21 investigation by the office. The background investigation may
22 include, without limitation, a work history, financial review,
23 request for criminal history data, and national criminal
24 history check through the federal bureau of investigation.
25 In addition, a contractor, vendor, employee, or any other
26 individual performing work for the office, or an individual on
27 the information technology staff of a participating agency,
28 may be subject to a national criminal history check through
29 the federal bureau of investigation at least once every ten
30 years, including, without limitation, any time the office or
31 participating agency has reason to believe an individual has
32 been convicted of a crime. The office may request the national
33 criminal history check and shall provide the individual's
34 fingerprints to the department of public safety for submission
35 through the state criminal history repository to the federal

1 bureau of investigation. The individual shall authorize
2 release of the results of the national criminal history
3 check to the office and the applicable participating agency.
4 The office shall pay the actual cost of the fingerprinting
5 and national criminal history check, if any, unless
6 otherwise agreed as part of a contract between the office or
7 participating agency and a vendor or contractor performing
8 work for the office or participating agency. The results of a
9 criminal history check conducted pursuant to this section shall
10 not be considered a public record under chapter 22.

11 Sec. 4. Section 8B.33, subsection 1, Code 2017, is amended
12 to read as follows:

13 1. An IowAccess revolving fund is created in the state
14 treasury. The revolving fund shall be administered by the
15 office and shall consist of moneys collected by the office as
16 fees, moneys appropriated by the general assembly, and any
17 other moneys obtained or accepted by the office for deposit in
18 the revolving fund. The proceeds of the revolving fund are
19 appropriated to and shall be used by the office to maintain,
20 develop, operate, and expand IowAccess consistent with this
21 chapter, ~~and for the support of activities of the technology~~
22 ~~advisory council pursuant to [section 8B.8](#).~~

23 Sec. 5. REPEAL. Section 8B.8, Code 2017, is repealed.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill concerns the office of the chief information
28 officer.

29 Code section 8B.4 is amended to provide that the chief
30 information officer shall designate a chief technology officer
31 and a chief information security officer for the state. The
32 bill provides that the chief technology officer shall have
33 responsibility concerning enterprise technology strategy
34 and that the chief information security officer shall have
35 responsibility concerning enterprise information security.

1 New Code section 8A.4A provides for an optional background
2 investigation for an applicant for employment with the
3 office or an applicant for employment with a participating
4 agency for a position as information technology staff,
5 which may include work history review, financial review, a
6 request for criminal history data, and a national criminal
7 history check through the federal bureau of investigation
8 (FBI). In addition, the bill provides that an applicant
9 for employment with the office, an applicant for employment
10 with a participating agency as information technology staff,
11 or a contractor, vendor, employee, or any other individual
12 performing work for the office may be subject to a national
13 criminal history check through the FBI at least once every
14 10 years or at any time the office or participating agency
15 has reason to believe an individual has been convicted of a
16 crime. If conducted, the bill directs the office to provide
17 fingerprints to the department of public safety for submission
18 through the state criminal history repository to the FBI, and
19 requires individuals to authorize release of the results to the
20 office and the applicable participating agency. The office is
21 required to pay the actual costs of the fingerprinting and the
22 criminal history check unless otherwise agreed by contract.
23 The bill provides that the results of a criminal history check
24 are not considered a public record under Code chapter 22 (open
25 records).

26 Code section 8B.8, providing for a technology advisory
27 council, is repealed by the bill.