

**Senate Study Bill 3182 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON COMMERCE BILL BY  
CHAIRPERSON DAWSON)

**A BILL FOR**

1 An Act relating to the office of the chief information officer,  
2 including procurement preferences and a report detailing  
3 state information technology assets.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8B.1, Code 2020, is amended by adding the  
2 following new subsection:

3 NEW SUBSECTION. 2A. *"Cloud computing"* means the same as  
4 defined in the United States national institute of standards  
5 and technology's special publication 800-145.

6 Sec. 2. Section 8B.9, subsection 6, Code 2020, is amended  
7 to read as follows:

8 6. Beginning October 1, 2019, a quarterly report regarding  
9 the status of technology upgrades or enhancements for state  
10 agencies, submitted to the general assembly and to the  
11 chairpersons and ranking members of the senate and house  
12 committees on appropriations. The quarterly report shall  
13 also include a listing of state agencies coordinating or  
14 working with the office, and a listing of state agencies not  
15 coordinating or working with the office, and the information  
16 required by section 8B.24, subsection 5A, paragraph "b".

17 Sec. 3. Section 8B.24, Code 2020, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 5A. a. The office shall, when feasible,  
20 procure from providers that meet or exceed applicable state  
21 and federal laws, regulations, and standards for information  
22 technology, third-party cloud computing solutions and other  
23 information technology and related services that are not hosted  
24 on premises by the state.

25 b. If the office determines it is not feasible to procure  
26 third-party cloud computing solutions or other information  
27 technology and related services pursuant to paragraph "a", and  
28 if on-premises technology upgrades or new applications to be  
29 housed on-premises are proposed, the office shall include all  
30 of the following in the report required pursuant to section  
31 8B.9, subsection 6:

32 (1) An explanation as to why a cloud computing deployment  
33 was not feasible.

34 (2) Whether the application can be deployed using a hybrid  
35 or containerized approach to minimize on-premise costs.

1 (3) Compliance frameworks that require the application to  
2 be hosted on-premises.

3 c. The office shall contract with multiple third-party  
4 commercial cloud computing service providers and shall  
5 encourage state agencies and departments to work with at  
6 least three third-party commercial cloud service providers to  
7 mitigate the risks associated with numerous state agencies and  
8 departments becoming dependent on the services of a single  
9 commercial cloud service provider.

10 d. The control and ownership of state data stored with cloud  
11 computing service providers shall remain with the state. The  
12 office shall ensure the portability of state data stored with  
13 cloud computing service providers.

14 Sec. 4. Section 8B.24, subsection 6, Code 2020, is amended  
15 to read as follows:

16 6. The office shall adopt rules pursuant to [chapter 17A](#) to  
17 implement the procurement methods and procedures provided for  
18 in subsections 2 through 5 [5A](#).

19 Sec. 5. INVENTORY OF INFORMATION TECHNOLOGY ASSETS, CURRENT  
20 CLOUD COMPUTING ADOPTION, AND CLOUD COMPUTING MIGRATION PLAN  
21 — REPORT. By November 1, 2020, the office of the chief  
22 information officer, in collaboration with other state agencies  
23 and departments, shall provide a report to the general assembly  
24 that includes all of the following:

25 1. An inventory of all state information technology  
26 applications, and the percentage of the information technology  
27 applications that are cloud-based applications.

28 2. Recommendations regarding state information technology  
29 applications that should migrate to cloud-based applications.  
30 Each such recommendation shall include a description of  
31 workloads and information technology applications that are best  
32 suited to migrate to cloud-based applications given all of the  
33 following considerations:

34 a. Whether the information technology application has  
35 underlying storage, networks, or infrastructure that supports

1 another information technology application, and whether the  
2 information technology application is supported by another  
3 information technology application.

4 b. How critical the information technology application is  
5 to the mission of the state agency or department.

6 c. The difficulty of migrating the information technology  
7 application to a cloud-based application.

8 d. The total cost of ownership of the target environment in  
9 which the information technology application shall operate if  
10 migrated to a cloud-based application.

11 EXPLANATION

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

14 This bill relates to the office of the chief information  
15 officer, including procurement preferences and a report  
16 detailing state information technology assets.

17 The bill defines "cloud computing" by reference to the  
18 United States national institute of standards and technology's  
19 special publication 800-145, which defines the term as a model  
20 for enabling ubiquitous, convenient, on-demand network access  
21 to a shared pool of configurable computing resources that can  
22 be rapidly provisioned and released with minimal management  
23 effort or service provider interaction.

24 Current law requires the office to submit a quarterly report  
25 regarding the status of technology upgrades or enhancements for  
26 state agencies. The bill requires this report to also include  
27 information related to the office's determination that it was  
28 not feasible to procure a cloud computing solution, including  
29 an explanation as to why a cloud computing deployment was not  
30 feasible, whether the application can be deployed using a  
31 hybrid or containerized approach to minimize on-premise costs,  
32 and compliance frameworks that require the application to be  
33 hosted on-premises.

34 The bill requires the office to, when feasible, procure  
35 third-party cloud computing solutions and other information

1 technology and related services that are not hosted on premises  
2 by the state from providers that meet or exceed applicable  
3 state and federal laws, regulations, and standards for  
4 information technology.

5 The bill provides the office shall contract with multiple  
6 third-party commercial cloud computing service providers.  
7 The bill also encourages state agencies and departments to  
8 work with at least three third-party commercial cloud service  
9 providers.

10 The bill establishes that control and ownership of state  
11 data stored with cloud computing service providers shall remain  
12 with the state. The bill requires the office to ensure the  
13 portability of state data stored with cloud computing service  
14 providers.

15 The bill requires the office to provide a report to the  
16 general assembly by November 1, 2020, that includes an  
17 inventory of all state information technology applications,  
18 and recommendations regarding state information technology  
19 applications that should migrate to cloud-based applications.