

House File 651 - Introduced

HOUSE FILE 651
BY COMMITTEE ON INFORMATION
TECHNOLOGY

(SUCCESSOR TO HSB 111)

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, budgetary reporting,
4 and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

CLOUD COMPUTING

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Section 1. Section 8B.1, Code 2021, is amended by adding the following new subsections:

NEW SUBSECTION. 2A. *“Cloud computing”* means the same as defined in the United States national institute of standards and technology’s special publication 800-145.

NEW SUBSECTION. 5A. *“Foreign government”* means a government other than the government of the United States, its states, territories, or possessions.

Sec. 2. Section 8B.9, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. An annual report regarding the cloud computing solutions the office procured pursuant to section 8B.24, subsection 5A. The annual report shall include all of the following:

- a. The cost, security, and capacity of the cloud computing solutions.
- b. The compatibility of the cloud computing solutions with associated state information technology applications.
- c. The cloud computing solutions’ compliance with state and federal laws, regulations, and standards for information technology.

Sec. 3. Section 8B.9, subsection 6, Code 2021, is amended to read as follows:

6. Beginning October 1, 2019, ~~a quarterly~~ an annual report regarding the status of technology upgrades or enhancements for state agencies, submitted to the general assembly and to the chairpersons and ranking members of the senate and house committees on appropriations. The ~~quarterly~~ annual report shall also include a listing of state agencies coordinating or working with the office and a listing of state agencies not coordinating or working with the office.

Sec. 4. Section 8B.24, Code 2021, is amended by adding the following new subsection:

1 NEW SUBSECTION. 5A. a. The office shall, when feasible,
2 procure from cloud computing service providers that meet or
3 exceed applicable state and federal laws, regulations, and
4 standards for information technology, cloud computing solutions
5 and other information technology and related services that are
6 not hosted on premises by the state.

7 b. The office shall contract with multiple cloud computing
8 service providers.

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

13 d. Cloud computing service providers shall store state data
14 on servers located within the United States. The servers on
15 which state data is stored shall not be under the control of a
16 foreign government.

17 e. For purposes of this subsection, "*cloud computing service*
18 *provider*" includes third-party vendors, the state and its
19 political subdivisions, and any other person that meets or
20 exceeds applicable state and federal laws, regulations, and
21 standards for information technology.

22 Sec. 5. Section 8B.24, subsection 6, Code 2021, is amended
23 to read as follows:

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

27 Sec. 6. INVENTORY OF INFORMATION TECHNOLOGY ASSETS, CURRENT
28 CLOUD COMPUTING ADOPTION, AND CLOUD COMPUTING MIGRATION PLAN
29 — REPORT. By November 1, 2021, the office of the chief
30 information officer, in collaboration with other state agencies
31 and departments, shall provide a report to the general assembly
32 that includes all of the following:

33 1. An inventory of all state information technology
34 applications, including the date a state agency or department
35 began using each information technology application, the life

1 expectancy of each information technology application, and the
2 percentage of the information technology applications that are
3 cloud-based applications.

4 2. Recommendations regarding state information technology
5 applications that should migrate to cloud-based applications.
6 Each such recommendation shall include a description of
7 workloads and information technology applications that are best
8 suited to migrate to cloud-based applications given all of the
9 following considerations:

10 a. Whether the information technology application has
11 underlying storage, networks, or infrastructure that supports
12 another information technology application, and whether the
13 information technology application is supported by another
14 information technology application.

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

17 c. The difficulty of migrating the information technology
18 application to a cloud-based application.

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

22 DIVISION II

23 BUDGETARY INFORMATION

24 Sec. 7. Section 8.6, subsection 16, paragraph b, Code 2021,
25 is amended to read as follows:

26 b. The department of revenue, the department of
27 administrative services, the office of the chief information
28 officer, the institutions governed by the state board of
29 regents pursuant to [section 262.7](#), each judicial district's
30 department of correctional services, and the state department
31 of transportation shall provide salary data to the department
32 of management and the legislative services agency to operate
33 the state's salary model. The format and frequency of
34 provision of the salary data shall be determined by the
35 department of management and the legislative services agency.

1 effort or service provider interaction. The bill defines
2 "foreign government" as a government other than the government
3 of the United States, its states, territories, and possessions.

4 The bill requires the office to submit an annual report
5 regarding the cloud computing solutions procured by the office
6 containing information required in the bill.

7 Current law requires the office to submit a quarterly report
8 regarding the status of technology upgrades or enhancements for
9 state agencies. The bill requires this report to be submitted
10 annually.

11 The bill requires the office to, when feasible, procure
12 cloud computing solutions and other information technology and
13 related services that are not hosted on premises by the state
14 from cloud computing service providers that meet or exceed
15 applicable state and federal laws, regulations, and standards
16 for information technology. For purposes of this requirement,
17 the bill defines "cloud computing service provider" to include
18 third-party vendors, the state and its political subdivisions,
19 and any other person that meets or exceeds applicable laws and
20 standards for information technology.

21 The bill provides the office shall contract with multiple
22 cloud computing service providers.

23 The bill establishes that control and ownership of state
24 data stored with cloud computing service providers shall remain
25 with the state. The bill requires the office to ensure the
26 portability of state data stored with cloud computing service
27 providers. Additionally, the bill requires cloud computing
28 service providers to store data on servers located within the
29 United States and requires those servers to not be controlled
30 by a foreign government.

31 The bill requires the office to provide a report to the
32 general assembly by November 1, 2021, that includes an
33 inventory of all state information technology applications,
34 and recommendations regarding state information technology
35 applications that should migrate to cloud-based applications.

1 The bill requires the office to provide salary data to the
2 department of management and the legislative services agency to
3 operate the state's salary model.

4 Additionally, the bill requires the chief information
5 officer to provide information related to expenditures and
6 appropriations to the legislative services agency. This
7 provision, related to the chief information officer providing
8 information related to expenditures and appropriates, takes
9 effect upon enactment.