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:

1 DIVISION I

- 2 CLOUD COMPUTING
- 3 Section 1. Section 8B.1, Code 2021, is amended by adding the 4 following new subsections:
- 5 NEW SUBSECTION. 2A. "Cloud computing" means the same as
- 6 defined in the United States national institute of standards
- 7 and technology's special publication 800-145.
- 8 NEW SUBSECTION. 5A. "Foreign government" means a government
- 9 other than the government of the United States, its states,
- 10 territories, or possessions.
- 11 Sec. 2. Section 8B.9, Code 2021, is amended by adding the
- 12 following new subsection:
- NEW SUBSECTION. 5A. An annual report regarding the cloud
- 14 computing solutions the office procured pursuant to section
- 15 8B.24, subsection 5A. The annual report shall include all of
- 16 the following:
- 17 a. The cost, security, and capacity of the cloud computing
- 18 solutions.
- 19 b. The compatibility of the cloud computing solutions with
- 20 associated state information technology applications.
- 21 c. The cloud computing solutions' compliance with state
- 22 and federal laws, regulations, and standards for information
- 23 technology.
- Sec. 3. Section 8B.9, subsection 6, Code 2021, is amended
- 25 to read as follows:
- 26 6. Beginning October 1, 2019, a quarterly an annual report
- 27 regarding the status of technology upgrades or enhancements
- 28 for state agencies, submitted to the general assembly and to
- 29 the chairpersons and ranking members of the senate and house
- 30 committees on appropriations. The quarterly annual report
- 31 shall also include a listing of state agencies coordinating or
- 32 working with the office and a listing of state agencies not
- 33 coordinating or working with the office.
- 34 Sec. 4. Section 8B.24, Code 2021, is amended by adding the
- 35 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
- ll 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

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

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      Sec. 8. Section 8.35A, subsection 1, Code 2021, is amended
 2 to read as follows:
          By July 1, the director of the department of management,
 4 in conjunction with the director of the department of
 5 administrative services and the chief information officer of
 6 the state, shall provide a projected expenditure breakdown
 7 of each appropriation for the beginning fiscal year to the
 8 legislative services agency in the form and level of detail
 9 requested by the legislative services agency. By the fifteenth
10 of each month, the director, in conjunction with the director
11 of the department of administrative services and the chief
12 information officer of the state, shall transmit to the
13 legislative services agency a record for each appropriation
14 of actual expenditures for the prior month of the fiscal year
15 and the fiscal year to date in the form and level of detail
16 as requested by the legislative services agency. By October
17 1, the director, in conjunction with the director of the
18 department of administrative services and the chief information
19 officer of the state, shall transmit the total record of an
20 appropriation, including reversions and transfers for the prior
21 fiscal year ending June 30, to the legislative services agency.
              EFFECTIVE DATE. This division of this Act, being
22
      Sec. 9.
23 deemed of immediate importance, takes effect upon enactment.
24
                             EXPLANATION
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- 25 The inclusion of this explanation does not constitute agreement with 26 the explanation's substance by the members of the general assembly.
- This bill relates to the office of the chief information 28 officer, including procurement preferences and a report
- 29 detailing state information technology assets.
- The bill defines "cloud computing" by reference to the
- 31 United States national institute of standards and technology's
- 32 special publication 800-145, which defines the term as a model
- 33 for enabling ubiquitous, convenient, on-demand network access
- 34 to a shared pool of configurable computing resources that can
- 35 be rapidly provisioned and released with minimal management

- 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.

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- 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.