SENATE FILE 2349
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 3182)

(As Amended and Passed by the Senate March 11, 2020)

_____ = New Language by the Senate

A BILL FOR

An Act relating to the office of the chief information officer, including procurement preferences and a report detailing state information technology assets.

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

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

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.

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

6. Beginning October 1, 2019, a quarterly 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 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, and the information required by section 8B.24, subsection 5A, paragraph *"b"*.

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

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

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

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

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

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

c. The office shall contract with multiple third-party commercial cloud computing service providers.

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

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

6. The office shall adopt rules pursuant to chapter 17A to implement the procurement methods and procedures provided for in subsections 2 through ~~5~~ 5A.

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

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

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

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

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

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

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