

## **Attachment #11**

An Act Relating to State Affairs and Government – Office of Information Technology  
(The LC000702 draft version and the State Affairs and Government version)

2019 --

LC000702

# STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF INFORMATION  
TECHNOLOGY

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. Section 42-6-1 of the General Laws in Chapter 42-6 entitled "Departments  
of State Government" is hereby amended to read as follows:

**42-6-1. Enumeration of departments.**

All the administrative powers and duties heretofore vested by law in the several state  
departments, boards, divisions, bureaus, commissions, and other agencies shall be vested in the  
following departments and other agencies which are specified in this title:

- (a) Executive department (chapter 7 of this title);
- (b) Department of state (chapter 8 of this title);
- (c) Department of the attorney general (chapter 9 of this title);
- (d) Treasury department (chapter 10 of this title);
- (e) Department of administration (chapter 11 of this title);
- (f) Department of business regulation (chapter 14 of this title);
- (g) Department of children, youth and families (chapter 72 of this title);
- (h) Department of corrections (chapter 56 of this title);
- (i) Department of elderly affairs (chapter 66 of this title);
- (j) Department of elementary and secondary education (chapter 60 of title 16);
- (k) Department of environmental management (chapter 17.1 of this title);
- (l) Department of health (chapter 18 of this title);

- 1 (m) Board of governors for higher education (chapter 59 of title 16);  
2 (n) Department of labor and training (chapter 16.1 of this title);  
3 (o) Department of behavioral healthcare, developmental disabilities and hospitals (chapter  
4 12.1 of this title);  
5 (p) Department of human services (chapter 12 of this title);  
6 (q) Department of transportation (chapter 13 of this title);  
7 (r) Public utilities commission (chapter 14.3 of this title);  
8 (s) Department of revenue (chapter 142 of title 42);  
9 (t) Department of public safety (chapter 7.3 of this title).  
10 (u) Office of information technology and security (chapter 11.5 of this title).

11 SECTION 2. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
12 GOVERNMENT" is hereby amended by adding thereto the following chapter:

13 CHAPTER 11.5

14 OFFICE OF INFORMATION TECHNOLOGY AND SECURITY

15 **42-11.5-1. Definitions.**

16 As used in this chapter, the following words shall, unless the context clearly requires  
17 otherwise, have the following meanings:

18 (1) "Chief information officer" or "CIO" means the chief information officer of the Rhode  
19 Island office of information technology and security.

20 (2) "Department" means the department of administration.

21 (3) "Deputy director" means the director of information technology of a state agency.

22 (4) "Director" means the director of the office of information technology and security.

23 (5) "Information technology" or "IT" means hardware, software, telecommunications  
24 equipment and related services designed for the storage, manipulation and retrieval of data by  
25 electronic or mechanical means including, but not limited to, personal computers, mainframes,  
26 wide and local area networks, servers, mobile or portable computers, peripheral equipment,  
27 telephones, wireless communications, handheld devices, cloud-based application and platform  
28 services, public safety radio services, facsimile machines, data centers, dedicated training facilities  
29 and switching facilities.

30 (6) "Office" means the Rhode Island office of information technology and security  
31 established pursuant to § 42-6-1.

32 (7) "State agency" means a legal entity of state government established as an agency, board,  
33 bureau, commission, council, department, office or division of state government with a specific  
34 mission and which is subject to the control of the governor or whose administration has been solely

1 appointed by the governor.

2 **42-11.5-2. Office of information technology and security - Chief information officer -**  
3 **Coordination with state agencies engaged in activities concerning information technology.**

4 There shall be an office of information technology and security within the department of  
5 administration. The office shall be administered by the chief information officer who shall be  
6 appointed by the director of administration, with the approval of the governor and who shall serve  
7 as the chief information officer of the state and shall supervise all IT services of state agencies. All  
8 state agencies engaged in activities concerning information technology shall coordinate with the  
9 office on matters pertaining to contracting, operations, risk assessment, hiring, project management  
10 and procurement.

11 **42-11.5-3. Powers and duties.**

12 (a) The office shall have all powers necessary or convenient to carry out its duties  
13 including, but not limited to, the power to:

14 (1) Establish bureaus and other functional units within the office and hire employees;

15 (2) Coordinate and centralize the management and operation of IT functions within state  
16 agencies;

17 (3) Coordinate with and provide assistance, advice and expertise in connection with  
18 business relationships between state agencies and private sector providers of information  
19 technology;

20 (4) Eliminate, where appropriate, duplication of duties and functions among IT personnel  
21 within state agencies;

22 (5) Monitor trends and advances in information technology resources;

23 (6) Oversee and supervise the maintenance of information technology and the initiation of  
24 information technology updates or projects for state agencies;

25 (7) Initiate procurements of information technology resources for state agencies and enter  
26 into agreements or contracts in connection with such procurement on behalf of a state agency or  
27 other political subdivision of the state, if so authorized;

28 (8) Maintain a grant information page on the department's website;

29 (9) Review and approve the information technology budget requests of a state agency and,  
30 in consultation with the directors, designate a state agency's IT spending priorities;

31 (10) Implement standards for product or service specifications, characteristics or  
32 performance requirements of IT resources that increase efficiency and improve security and  
33 identify opportunities for cost savings within state agencies based on such standardization; and

34 (11) Establish special requirements for vendors of IT services to state agencies.



1           **42-11.5-4. Bureau of information security - Chief security officer.**

2           There shall be a bureau of information security within the office under the supervision of  
3 a chief security officer who has expertise in security and risk management for communications and  
4 information resources. The chief security officer shall advise the CIO on preventing data loss and  
5 fraud and protecting privacy.

6           **42-11.5-5. Bureau of geographic information.**

7           There shall be a bureau of geographic information within the office which shall develop,  
8 maintain, update and distribute geographic information, technology, data and services for use by  
9 state agencies, municipalities and the public. The office shall coordinate all geographic information  
10 activities in state and local government and shall collect, manage and distribute geographic  
11 information maintained by state agencies and local government agencies. The office shall also  
12 provide technical services related to geographic information to state agencies and municipalities.  
13 The CIO shall set standards for the acquisition, management and reporting of geographical  
14 information and for the acquisition, creation or use of applications employing such information by  
15 any state agency and the reporting of such information by municipalities.

16           **42-11.5-6. Director of information technology.**

17           (a) The director of each executive office established pursuant to § 42-6-1, shall, in  
18 consultation with and approved by the CIO, appoint a director of information technology of each  
19 executive office who shall report directly to the director and the CIO. Each director of information  
20 technology shall manage all information technology operations within the executive offices and  
21 supervise all information technology personnel. Each director shall be responsible for evaluating  
22 the present and future information technology needs of agencies within their respective executive  
23 offices. A director, in consultation with and with the approval of the CIO, may designate a deputy  
24 director of information technology for an agency within the director's executive office.

25           (b) The CIO and the director shall jointly identify the positions and functions affiliated  
26 with the management and administration of an executive office's information technology resources  
27 and enterprises that shall be centralized within the executive office. Each director shall develop an  
28 IT strategic plan for the executive office that shall be approved by the CIO that sets forth:

29           (1) Operational and project priorities;

30           (2) Budgets;

31           (3) Planned procurements;

32           (4) Efficiency goals;

33           (5) Security initiatives; and

34           (6) Staffing plans.

1 (c) The CIO shall hold quarterly meetings with all directors and shall conduct annual  
2 compliance reviews across the executive offices to ensure full compliance with statutes,  
3 regulations, policies, standards and contractual obligations related to information technology and  
4 security. The CIO shall annually report the results of its reviews to the governor, and the clerks of  
5 the senate and the house of representatives on or before January 1 of each year. All reports shall be  
6 made available on the office's website.

7 **42-11.5-7. Financial threshold for proposed IT expenditures and approval - Contracts**  
8 **for IT services - Project oversight committee, policies and guidelines.**

9 (a) The CIO, in consultation with the operational services division, shall determine and set  
10 a minimum financial threshold above which any proposed IT expenditure by a state agency shall  
11 be reviewed and approved by the office. The CIO may suspend an expenditure related to IT until  
12 approval has been granted by the office.

13 (b) All state agency contracts for IT shall require the approval of the CIO. The CIO may  
14 negotiate state agency IT contracts and amendments to existing contracts entered into by a state  
15 agency for information technology services in order to expand the scope of the contract, extend the  
16 term of the contract, improve delivery of services under the contract or to safeguard information  
17 from threats to cyber security. The office shall review long-term contracts for information  
18 technology services on a quarterly basis to ensure that services delivered pursuant to those contracts  
19 are provided in a timely and cost-effective manner to the state. If the CIO determines that  
20 information technology services under any such contract could be improved, the office shall consult  
21 and negotiate with each agency and contractor who is a party to the existing contract to obtain terms  
22 and conditions more favorable to the state.

23 (c) For IT projects that exceed twenty million dollars (\$20,000,000), are self-financing or  
24 present a unique set of challenges due to interagency collaboration, federal participation or private  
25 investment, the CIO shall establish a project oversight committee that shall develop criteria and  
26 benchmarks to evaluate the project and advise the CIO as to whether the project is accomplishing  
27 its objectives. A committee established pursuant to this section may include members from the  
28 private sector; provided, however, that members shall have no financial interest in the project  
29 overseen by the committee.

30 (d) The CIO shall adopt policies, standards and guidelines governing information  
31 technology procurement, development and maintenance, specifically including provisions for:

32 (1) Ensuring effective project management and oversight configurations;

33 (2) Establishing strategic incentive and requirement structures;

34 (3) Increasing competition among information technology vendors, including, but not



1 limited to, the undertaking of smaller, short-term information technology projects to provide  
2 improved programmatic flexibility;

3 (4) Utilizing commercial off-the-shelf information technology products to achieve cost  
4 savings on information technology projects;

5 (5) Increasing technology procurement innovation using pilot programming;

6 (6) Identifying which information technology projects and procurements shall require the  
7 services of an independent verification and validation consultant;

8 (7) Creating a team of project managers to oversee and manage large information  
9 technology projects;

10 (8) Gathering and maintaining relevant records, documents and information related to  
11 vendor performance on ongoing and completed projects to assist in assessing prospective vendors'  
12 past performance; and

13 (9) Implementing other best practices which may include, but shall not be limited to, those  
14 identified in legislative reports and legislatively required reports.

15 **42-11.5-8. Interagency service agreements - Consultation with the department of**  
16 **revenue.**

17 Through interagency service agreements, the office may consult and provide services to  
18 municipalities, constitutional officers, the judiciary, the legislature, institutions of higher education,  
19 authorities, quasi-public corporations and other political subdivisions of the state, as well as other  
20 states of the United States, if the provision of these services to other states will decrease the costs  
21 or improve the efficiency of the service provided by the office to the state. The office shall consult  
22 with the department of revenue to identify ways to better assist municipalities and regional entities  
23 in procuring and developing information technology services.

24 **42-11.5-9. Statewide information technology plan.**

25 The office shall develop a statewide information technology plan that shall identify the  
26 immediate needs of information technology among state agencies as well as long-term investments  
27 in information technology that should be considered by the state. The plan shall be updated annually  
28 and shall be published on the website of the state.

29 **SECTION 3. This act shall take effect upon passage.**

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF INFORMATION  
TECHNOLOGY

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- 1           This act would establish the office of information technology and security within the  
2 department of administration.  
3           This act would take effect upon passage.

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF INFORMATION  
TECHNOLOGY

LC000702

Presented by

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2019 --

State Affairs and Government

# STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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6 following departments and other agencies which are specified in this title:

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10 (n) Department of labor and training (chapter 16.1 of this title);  
11 (o) Department of behavioral healthcare, developmental disabilities and hospitals (chapter  
12 12.1 of this title);  
13 (p) Department of human services (chapter 12 of this title);  
14 (q) Department of transportation (chapter 13 of this title);  
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19 SECTION 2. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
20 GOVERNMENT" is hereby amended by adding thereto the following chapter:

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22 OFFICE OF INFORMATION TECHNOLOGY AND SECURITY

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16 mission and which is subject to the control of the governor or whose administration has been solely  
17 appointed by the governor.

18 **42-11.5-2. Office of information technology and security - Chief information officer -**  
19 **Coordination with state agencies engaged in activities concerning information technology.**

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21 administration. The office shall be administered by the chief information officer who shall be  
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24 state agencies engaged in activities concerning information technology shall coordinate with the  
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1           **42-11.5-3. Powers and duties.**

2           (a) The office shall have all powers necessary or convenient to carry out its duties  
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4           (1) Establish bureaus and other functional units within the office and hire employees;

5           (2) Coordinate and centralize the management and operation of IT functions within state  
6 agencies;

7           (3) Coordinate with and provide assistance, advice and expertise in connection with  
8 business relationships between state agencies and private sector providers of information  
9 technology;

10          (4) Eliminate, where appropriate, duplication of duties and functions among IT personnel  
11 within state agencies;

12          (5) Monitor trends and advances in information technology resources;

13          (6) Oversee and supervise the maintenance of information technology and the initiation of  
14 information technology updates or projects for state agencies;

15          (7) Initiate procurements of information technology resources for state agencies and enter  
16 into agreements or contracts in connection with such procurement on behalf of a state agency or  
17 other political subdivision of the state, if so authorized;

18          (8) Maintain a grant information page on the department's website;

19          (9) Review and approve the information technology budget requests of a state agency and,  
20 in consultation with the directors, designate a state agency's IT spending priorities;

21          (10) Implement standards for product or service specifications, characteristics or  
22 performance requirements of IT resources that increase efficiency and improve security and  
23 identify opportunities for cost savings within state agencies based on such standardization; and

24          (11) Establish special requirements for vendors of IT services to state agencies.

25           **42-11.5-4. Bureau of information security - Chief security officer.**

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1 a chief security officer who has expertise in security and risk management for communications and  
2 information resources. The chief security officer shall advise the CIO on preventing data loss and  
3 fraud and protecting privacy.

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11 The CIO shall set standards for the acquisition, management and reporting of geographical  
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14 **42-11.5-6. Director of information technology.**

15 (a) The director of each executive office established pursuant to § 42-6-1, shall, in  
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17 executive office who shall report directly to the director and the CIO. Each director of information  
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20 the present and future information technology needs of agencies within their respective executive  
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23 (b) The CIO and the director shall jointly identify the positions and functions affiliated  
24 with the management and administration of an executive office's information technology resources  
25 and enterprises that shall be centralized within the executive office. Each director shall develop an  
26 IT strategic plan for the executive office that shall be approved by the CIO that sets forth:



1       (1) Operational and project priorities;  
2       (2) Budgets;  
3       (3) Planned procurements;  
4       (4) Efficiency goals;  
5       (5) Security initiatives; and  
6       (6) Staffing plans.  
7       (c) The CIO shall hold quarterly meetings with all directors and shall conduct annual  
8 compliance reviews across the executive offices to ensure full compliance with statutes,  
9 regulations, policies, standards and contractual obligations related to information technology and  
10 security. The CIO shall annually report the results of its reviews to the governor, and the clerks of  
11 the senate and the house of representatives on or before January 1 of each year. All reports shall be  
12 made available on the office's website.  
13       **42-11.5-7. Financial threshold for proposed IT expenditures and approval - Contracts**  
14 **for IT services - Project oversight committee, policies and guidelines.**  
15       (a) The CIO, in consultation with the operational services division, shall determine and set  
16 a minimum financial threshold above which any proposed IT expenditure by a state agency shall  
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19       (b) All state agency contracts for IT shall require the approval of the CIO. The CIO may  
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21 agency for information technology services in order to expand the scope of the contract, extend the  
22 term of the contract, improve delivery of services under the contract or to safeguard information  
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1 and negotiate with each agency and contractor who is a party to the existing contract to obtain terms  
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3 (c) For IT projects that exceed twenty million dollars (\$20,000,000), are self-financing or  
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7 its objectives. A committee established pursuant to this section may include members from the  
8 private sector; provided, however, that members shall have no financial interest in the project  
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10 (d) The CIO shall adopt policies, standards and guidelines governing information  
11 technology procurement, development and maintenance, specifically including provisions for:

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25 vendor performance on ongoing and completed projects to assist in assessing prospective vendors'  
26 past performance; and

1        (9) Implementing other best practices which may include, but shall not be limited to, those  
2        identified in legislative reports and legislatively required reports.

3        **42-11.5-8. Interagency service agreements - Consultation with the department of**  
4        **revenue.**

5        Through interagency service agreements, the office may consult and provide services to  
6        municipalities, constitutional officers, the judiciary, the legislature, institutions of higher education,  
7        authorities, quasi-public corporations and other political subdivisions of the state, as well as other  
8        states of the United States, if the provision of these services to other states will decrease the costs  
9        or improve the efficiency of the service provided by the office to the state. The office shall consult  
10       with the department of revenue to identify ways to better assist municipalities and regional entities  
11       in procuring and developing information technology services.

12       **42-11.5-9. Statewide information technology plan.**

13       The office shall develop a statewide information technology plan that shall identify the  
14       immediate needs of information technology among state agencies as well as long-term investments  
15       in information technology that should be considered by the state. The plan shall be updated annually  
16       and shall be published on the website of the state.

17       SECTION 3. This act shall take effect upon passage.

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State Affairs and Government  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
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A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT - OFFICE OF INFORMATION  
TECHNOLOGY

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