

REFERENCE TITLE: information services; technology

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

HB 2230

Introduced by
Representatives Stevens, Smith, Thorpe

AN ACT

AMENDING SECTION 41-3504, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 41-3509 AND 41-3510; AMENDING SECTION 41-3521, ARIZONA REVISED STATUTES; RELATING TO GOVERNMENT INFORMATION TECHNOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-3504, Arizona Revised Statutes, is amended to
3 read:
4 41-3504. Powers and duties of the department; fees; violation;
5 classification
6 A. The department shall:
7 1. Develop, implement and maintain a coordinated statewide plan for
8 information technology. This includes:
9 (a) Adopting statewide technical, coordination and security standards
10 for information technology.
11 (b) ~~DEFINING, DESIGNING AND IMPLEMENTING A SHARED SERVICES STATEWIDE~~
12 ~~INFRASTRUCTURE AND APPLICATION ENVIRONMENT FOR INFORMATION TECHNOLOGY AND~~
13 ~~TELECOMMUNICATIONS FOR ALL BUDGET UNITS.~~
14 (c) ~~DIRECTING THE DEVELOPMENT AND OPERATION OF A SCALABLE~~
15 ~~TELECOMMUNICATIONS INFRASTRUCTURE THAT SUPPORTS DATA AND VOICE COMMUNICATIONS~~
16 ~~RELIABILITY, INTEGRITY AND SECURITY.~~
17 (d) ~~SUPERVISING THE APPLICATIONS DEVELOPMENT PROCESS FOR THOSE~~
18 ~~APPLICATIONS THAT ARE USED ACROSS MULTIPLE BUDGET UNITS.~~
19 ~~(b)~~ (e) Serving as statewide coordinator for information technology
20 resources.
21 ~~(e)~~ (f) Developing a statewide disaster recovery plan.
22 ~~(d)~~ (g) Developing a list of approved department projects by priority
23 category.
24 ~~(e)~~ (h) Developing a detailed list of information technology assets
25 owned, leased or employed by this state.
26 ~~(f)~~ (i) Evaluating and either approving or disapproving budget unit
27 information technology plans. Budget units shall submit information
28 technology plans that include quality assurance plans and disaster recovery
29 plans to the department each year on or before September 1. The legislative
30 and judicial departments of state government shall submit information
31 technology plans for information purposes.
32 ~~(g)~~ (j) Evaluating specific information technology projects relating
33 to the approved budget unit and statewide information technology plans. The
34 department shall approve or reject projects with total costs of at least
35 ~~twenty-five~~ TEN thousand dollars but not more than one million dollars and
36 may establish conditional approval criteria including procurement purchase
37 authority. If the total project costs exceed one million dollars the
38 department shall evaluate the project and make recommendations to the
39 committee. Beginning on June 1, 1998, as part of a budget request for an
40 information technology project that has total costs of at least ~~twenty-five~~
41 TEN thousand dollars, a budget unit shall indicate the status of review by
42 the department. Projects shall not be artificially divided to avoid review
43 by the department.

- 1 2. Require that budget units incorporate life cycle analysis
2 prescribed by section 41-2553 into the information technology planning,
3 budgeting and procurement processes.
- 4 3. Require that budget units demonstrate expertise to carry out
5 information technology plans, either by employing staff or contracting for
6 outside services.
- 7 4. Monitor information technology projects that the department
8 considers to be major or critical, including expenditure and activity reports
9 and periodic review.
- 10 5. PROVIDE DIRECTION FOR THE PROFESSIONAL DEVELOPMENT OF INFORMATION
11 TECHNOLOGY STAFF OF BUDGET UNITS AND OVERSEE THE PROFESSIONAL DEVELOPMENT OF
12 DEPARTMENT STAFF.
- 13 6. CREATE A PLAN TO ENSURE ALIGNMENT OF CURRENT SYSTEMS, TOOLS AND
14 PROCESSES WITH THE COORDINATED STATEWIDE PLAN.
- 15 7. SET DIRECTION AND PROVIDE OVERSIGHT FOR THE SUPPORT AND CONTINUOUS
16 UPGRADING OF THE CURRENT INFORMATION TECHNOLOGY AND TELECOMMUNICATION
17 INFRASTRUCTURE IN THIS STATE IN SUPPORT OF ENHANCED RELIABILITY, USER SERVICE
18 LEVELS AND SECURITY.
- 19 8. CREATE AND IMPLEMENT A COMMUNICATION PLAN THAT DISSEMINATES
20 PERTINENT INFORMATION TO BUDGET UNITS ON STANDARDS, POLICIES, PROCEDURES,
21 SERVICE LEVELS, PROJECT STATUS AND OTHER IMPORTANT INFORMATION TO CUSTOMERS
22 OF THE DEPARTMENT AND PROVIDE FOR BUDGET UNIT FEEDBACK AND PERFORMANCE
23 EVALUATION BY CUSTOMERS OF THE DEPARTMENT.
- 24 9. DEVELOP AND IMPLEMENT TRAINING PROGRAMS FOR BUDGET UNITS USING THE
25 SHARED SERVICES OF THE DEPARTMENT AND RECOMMEND TRAINING PROGRAMS TO BUDGET
26 UNITS ON INFORMATION TECHNOLOGY AND TELECOMMUNICATION SYSTEMS, PRODUCTS AND
27 PROCEDURES.
- 28 10. DEVELOP AND ENFORCE AN OVERALL INFRASTRUCTURE ARCHITECTURE STRATEGY
29 AND ASSOCIATED PLANS FOR DESKTOP, NETWORK, SERVER, STORAGE AND STATEWIDE
30 MANAGEMENT SYSTEMS FOR BUDGET UNITS.
- 31 11. MANAGE THE DESIGN, IMPLEMENTATION AND SUPPORT OF COMPLEX, HIGHLY
32 AVAILABLE INFRASTRUCTURE TO ENSURE OPTIMAL PERFORMANCE, ON-TIME DELIVERY OF
33 FEATURES AND NEW PRODUCTS AND SCALABLE GROWTH.
- 34 12. DEFINE AND IMPLEMENT A GOVERNANCE MODEL FOR REQUESTING SERVICES AND
35 MONITORING SERVICE LEVEL METRICS FOR ALL SHARED SERVICES.
- 36 ~~5-~~ 13. Temporarily suspend the expenditure of monies if the
37 department determines that the information technology project is at risk of
38 failing to achieve its intended results or does not comply with the
39 requirements of this section.
- 40 ~~6-~~ 14. Continuously study emergent technology and evaluate its impact
41 on this state's system.
- 42 ~~7-~~ 15. Advise each budget unit as necessary and report to the
43 committee on an annual basis.

1 ~~8.~~ 16. Provide to budget units, ~~information technology consulting~~
2 services it deems necessary, either directly or by procuring outside
3 consulting services.

4 ~~9.~~ 17. Maintain all otherwise confidential information received from
5 a budget unit pursuant to this section as confidential.

6 ~~10.~~ 18. Provide staff support to the committee.

7 ~~11.~~ 19. Subject to section 35-149, accept, spend and account for
8 grants, monies and direct payments from public or private sources and other
9 grants of monies or property for the conduct of programs that it deems
10 consistent with the government information technology purposes and objectives
11 of the department.

12 ~~12.~~ 20. Adopt rules it deems necessary or desirable to further the
13 government information technology objectives and programs of the department.

14 ~~13.~~ 21. Formulate policies, plans and programs to effectuate the
15 government information technology purposes of the department.

16 ~~14.~~ 22. Advise and make recommendations to the governor and the
17 legislature on all matters concerning its objectives.

18 ~~15.~~ 23. Contract and enter into interagency and intergovernmental
19 agreements pursuant to title 11, chapter 7, article 3 with any public or
20 private party.

21 ~~16.~~ 24. Have an official seal that shall be judicially noticed.

22 ~~17.~~ 25. On or before December 31, 2015, establish an interactive
23 online directory of codes, rules, ordinances, if available electronically,
24 and statutes to assist individuals and businesses with regulatory
25 requirements and obligations. As provided in this paragraph, counties,
26 municipalities and budget units shall submit information in a manner and
27 format prescribed by the agency.

28 B. THE DIRECTOR SHALL ESTABLISH FEES AND CHARGE BUDGET UNITS FOR THEIR
29 USE OF SHARED INFORMATION TECHNOLOGY AND TELECOMMUNICATION SERVICES SUBJECT
30 TO THE APPROVAL OF THE INFORMATION TECHNOLOGY AUTHORIZATION COMMITTEE.

31 ~~B.~~ C. The department shall advise the judicial and legislative
32 branches of state government concerning information technology.

33 ~~C.~~ D. The department may examine all books, papers, records and
34 documents in the office of any budget unit and may require any state officer
35 of the budget unit to furnish information or statements necessary to carry
36 out the provisions of this chapter.

37 ~~D.~~ E. The director, any member of the director's staff or any
38 employee who knowingly divulges or makes known in any manner not permitted by
39 law any particulars of any confidential record, document or information is
40 guilty of a class 5 felony.

41 Sec. 2. Title 41, chapter 32, article 1, Arizona Revised Statutes, is
42 amended by adding sections 41-3509 and 41-3510, to read:

43 41-3509. Chief information officer; duties

44 A. THE CHIEF INFORMATION OFFICER APPOINTED BY THE DIRECTOR PURSUANT TO
45 SECTION 41-3503 SHALL:

- 1 1. ESTABLISH, IMPLEMENT AND ENFORCE POLICIES AND PROCEDURES FOR THE
2 DEVELOPMENT OF AN INTEROPERABLE RADIO COMMUNICATIONS SYSTEM FOR BUDGET
3 UNITS. THE CHIEF INFORMATION OFFICER SHALL WORK WITH LOCAL GOVERNMENTAL
4 ENTITIES IN DEVELOPING THE INTEROPERABLE RADIO COMMUNICATIONS SYSTEM.
- 5 2. DEVELOP AND IMPLEMENT A PLAN TO USE OPEN SOURCE TECHNOLOGY AND
6 PRODUCTS FOR THE INFORMATION TECHNOLOGY AND TELECOMMUNICATION SYSTEMS OF ALL
7 BUDGET UNITS.
- 8 3. PREPARE AN ANNUAL REPORT DETAILING THE ONGOING NET SAVINGS
9 ATTRIBUTABLE TO THE REALLOCATION AND CONSOLIDATION OF INFORMATION TECHNOLOGY
10 AND TELECOMMUNICATION RESOURCES AND PERSONNEL AND SUBMIT THE REPORT TO THE
11 GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF
12 THE SENATE.
- 13 B. ALL BUDGET UNITS AND ALL OFFICERS AND EMPLOYEES OF THOSE BUDGET
14 UNITS SHALL WORK AND COOPERATE WITH AND LEND ASSISTANCE TO THE CHIEF
15 INFORMATION OFFICER AND PROVIDE ALL INFORMATION REQUESTED BY THE CHIEF
16 INFORMATION OFFICER.
- 17 41-3510. Plan of action; report
- 18 A. ON OR BEFORE JANUARY 1, 2015, THE CHIEF INFORMATION OFFICER SHALL
19 ESTABLISH A PLAN OF ACTION THAT DOES ALL OF THE FOLLOWING:
 - 20 1. DEFINES THE SHARED SERVICE MODEL ORGANIZATION STRUCTURE AND THE
21 REPORTING RELATIONSHIP OF THE RECOMMENDED ORGANIZATION.
 - 22 2. INCLUDES THE IMPLEMENTATION OF AN INFORMATION TECHNOLOGY AND
23 TELECOMMUNICATIONS SHARED SERVICES MODEL THAT DEFINES THE STATEWIDE
24 INFRASTRUCTURE ENVIRONMENT NEEDED BY MOST BUDGET UNITS THAT IS NOT SPECIFIC
25 TO INDIVIDUAL BUDGET UNITS AND THE SHARED APPLICATIONS THAT ARE USED ACROSS
26 MULTIPLE BUDGET UNITS.
 - 27 3. DEFINES THE SERVICES THAT SHALL BE IN THE SHARED SERVICES MODEL
28 UNDER THE CONTROL OF THE DEPARTMENT.
 - 29 4. DEFINES THE PLAN TO IMPLEMENT THE PROPOSED SHARED SERVICES MODEL.
30 THE PLAN SHALL INCLUDE RECOMMENDATIONS ON THE TRANSFER, COORDINATION AND
31 MODERNIZATION OF ALL INFORMATION TECHNOLOGY AND TELECOMMUNICATION SYSTEMS OF
32 ALL THE BUDGET UNITS.
 - 33 5. MAKES RECOMMENDATIONS ON THE REALLOCATION OF INFORMATION TECHNOLOGY
34 AND TELECOMMUNICATION RESOURCES AND PERSONNEL.
 - 35 6. MAKES RECOMMENDATIONS ON MAXIMIZING THE BENEFITS TO THIS STATE BY
36 THE ALIGNMENT AND OPERATION OF THE COMMUNICATIONS AND DATA TRANSFER NETWORK
37 ASSETS.
 - 38 7. PROVIDES A COST BENEFIT ANALYSIS TO SUPPORT THE RECOMMENDATIONS ON
39 THE REALLOCATION OF INFORMATION TECHNOLOGY AND TELECOMMUNICATION RESOURCES
40 AND PERSONNEL.
 - 41 8. CALCULATES THE NET SAVINGS REALIZED THROUGH THE REALLOCATION AND
42 CONSOLIDATION OF INFORMATION TECHNOLOGY AND TELECOMMUNICATION RESOURCES AND
43 PERSONNEL AFTER COMPENSATING FOR THE COST OF CONTRACTING WITH A PRIVATE
44 CONSULTANT AS AUTHORIZED IN SUBSECTION C OF THIS SECTION, IMPLEMENTING THE

1 PLAN OF ACTION AND ONGOING COSTS OF THE DEPARTMENT IN REGARDS TO GOVERNMENT
2 INFORMATION TECHNOLOGY.

3 B. ON OR BEFORE JULY 1, 2015, THE CHIEF INFORMATION OFFICER SHALL
4 SUBMIT A REPORT REGARDING THE PLAN OF ACTION TO THE GOVERNOR, THE PRESIDENT
5 OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND PROVIDE A
6 COPY OF THIS REPORT TO THE SECRETARY OF STATE.

7 C. THE CHIEF INFORMATION OFFICER MAY CONTRACT WITH A PRIVATE
8 CONSULTANT OR CONSULTANTS TO ASSIST IN THE DEVELOPMENT OF THE PLAN OF ACTION
9 REPORT.

10 D. ON APPROVAL OF THE INFORMATION TECHNOLOGY AUTHORIZATION COMMITTEE
11 PURSUANT TO SECTION 41-3521, THE CHIEF INFORMATION OFFICER SHALL IMPLEMENT
12 THE PLAN OF ACTION. THE COMMITTEE SHALL PROVIDE ONGOING OVERSIGHT OF THE
13 IMPLEMENTATION OF THE PLAN OF ACTION AND MAY APPROVE ANY PROPOSED AMENDMENTS
14 TO THE PLAN OF ACTION.

15 Sec. 3. Section 41-3521, Arizona Revised Statutes, is amended to read:
16 41-3521. Information technology authorization committee;
17 members; terms; duties; compensation; definition

18 A. The information technology authorization committee is established
19 consisting of the following members:

20 1. One member of the house of representatives who is appointed by the
21 speaker of the house of representatives and who shall serve as an advisory
22 member.

23 2. One member of the senate who is appointed by the president of the
24 senate and who shall serve as an advisory member.

25 3. Four members from private industry who are appointed by the
26 governor pursuant to section 38-211 and who are knowledgeable in information
27 technology.

28 4. One local government member and one federal government member who
29 are appointed by the governor and who shall serve as advisory members.

30 5. Two members who are directors of state agencies and who are
31 appointed by the governor.

32 6. The administrative director of the courts or the director's
33 designee.

34 7. The director of the department of administration or the director's
35 designee, who shall be the chairperson of the committee but for all other
36 purposes shall serve as an advisory member.

37 8. Two members from either private industry or state government who
38 are appointed by the governor.

39 9. The staff director of the joint legislative budget committee, or
40 the staff director's designee, who shall serve as an advisory member.

41 B. Committee members who are from private industry serve two year
42 terms. The other members serve at the pleasure of their appointing officers.

43 C. For all budget units and the legislative and judicial branches of
44 state government, the committee shall:

- 1 1. Review established statewide information technology standards and
2 the statewide information technology plan.
- 3 2. Review the minimum qualifications established by the director for
4 each position authorized for the department for information technology.
- 5 3. APPROVE OR DISAPPROVE THE PLAN OF ACTION DEVELOPED BY THE CHIEF
6 INFORMATION OFFICER, PROVIDE ONGOING OVERSIGHT OF THE CHIEF INFORMATION
7 OFFICER'S IMPLEMENTATION OF THE PLAN OF ACTION AND APPROVE OR DISAPPROVE
8 AMENDMENTS TO THE PLAN OF ACTION.
- 9 4. APPROVE OR DISAPPROVE CHARGES ESTABLISHED BY THE DIRECTOR FOR THE
10 USE BY BUDGET UNITS OF SHARED INFORMATION TECHNOLOGY SERVICES.
- 11 5. DEVELOP PERFORMANCE MEASURES FOR QUANTIFYING THE VALUE OF GOODS OR
12 SERVICES PROVIDED BY BUDGET UNITS AND FOR CONSIDERING IF GOODS AND SERVICES
13 PROVIDED BY A BUDGET UNIT COULD BE MODERNIZED THROUGH THE IMPLEMENTATION OF
14 NEW TECHNOLOGY TO PROVIDE BETTER QUALITY GOODS OR SERVICES THAT WOULD RESULT
15 IN COST SAVINGS OR BEST VALUE.
- 16 ~~3-~~ 6. Approve or disapprove all proposed information technology
17 projects, including project changes and contract amendments, that exceed a
18 total cost of one million dollars, excluding public monies from county,
19 municipal and other political subdivision sources that are not deposited in a
20 state fund. As part of a budget request for an information technology
21 project that has total costs of more than one million dollars, a budget unit
22 and the legislative and judicial branches of state government shall indicate
23 the status of review by the committee. Projects shall not be artificially
24 divided to avoid review by the committee.
- 25 ~~4-~~ 7. Develop a report format that incorporates the life cycle
26 analysis prescribed by section 41-2553 for use in submitting project requests
27 to the committee.
- 28 ~~5-~~ 8. Require expenditure and activity reports from a budget unit or
29 the legislative or judicial branches of state government on implementing
30 information technology projects approved by the committee.
- 31 ~~6-~~ 9. Conduct periodic reviews on the progress of implementing
32 information technology projects approved by the committee.
- 33 ~~7-~~ 10. Monitor information technology projects that the committee
34 considers to be major or critical.
- 35 ~~8-~~ 11. Temporarily suspend the expenditure of monies if the committee
36 determines that the information technology project is at risk of failing to
37 achieve its intended results or does not comply with the requirements of this
38 chapter.
- 39 ~~9-~~ 12. Hear and decide appeals made by budget units regarding the
40 department's rejection of their proposed information technology plans or
41 projects.
- 42 ~~10-~~ 13. Report to the governor, the speaker of the house of
43 representatives, the president of the senate, the secretary of state and the
44 director of the Arizona state library, archives and public records at least
45 annually on all matters concerning its objectives. This includes:

- 1 (a) Its review of the statewide information technology plan developed
2 by the department.
- 3 (b) The findings and conclusions of its periodic reviews.
- 4 (c) Its recommendations on desirable legislation relating to
5 information technology.
- 6 ~~11.~~ 14. Adopt rules it deems necessary or desirable to further the
7 objectives and programs of the committee.
- 8 D. The committee shall meet at the call of the chairperson.
- 9 E. Members of the committee are not eligible to receive compensation
10 but are eligible to receive reimbursement for expenses pursuant to title 38,
11 chapter 4, article 2.
- 12 F. For the purposes of this section, "advisory member" means a member
13 who gives advice to the other members of the committee at committee meetings
14 but who is not eligible to vote and is not a member for purposes of
15 determining whether a quorum is present.
- 16 Sec. 4. Government information technology assessment; report;
17 delayed repeal
- 18 A. On or before January 1, 2015, the chief information officer shall
19 conduct an assessment of the implementation of the transfer, coordination and
20 modernization of all information technology systems of all state agencies,
21 including the legislature and, at its option, the corporation commission and
22 courts, as provided for in this act. The assessment shall also study data
23 and agency consolidation.
- 24 B. The chief information officer may contract with a private
25 consultant to assist in the assessment.
- 26 C. The chief information officer shall submit a report regarding the
27 results of the assessment by January 1, 2015 to the governor, the president
28 of the senate and the speaker of the house of representatives and provide a
29 copy of this report to the secretary of state.
- 30 D. This section is repealed from and after September 30, 2015.