

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 17-1361

BY REPRESENTATIVE(S) Rankin, Hamner, Young, Hansen, Landgraf, Neville P., Nordberg, Ransom, Rosenthal, Saine, Singer, Valdez, Van Winkle, Weissman, Wist, Duran;
also SENATOR(S) Lambert, Lundberg, Moreno, Crowder, Hill, Jahn, Martinez Humenik, Tate.

CONCERNING AN INDEPENDENT EVALUATION OF THE STATE'S INFORMATION TECHNOLOGY RESOURCES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 24-37.5-803 as follows:

24-37.5-803. State information technology resources - independent evaluation and recommendations - report - repeal. (1) THE STATE AUDITOR SHALL RETAIN A QUALIFIED, INDEPENDENT THIRD-PARTY CONSULTING FIRM TO EVALUATE STATE AGENCY INFORMATION TECHNOLOGY RESOURCES. THE STATE AUDITOR SHALL SOLICIT QUALIFIED, INDEPENDENT THIRD-PARTY CONSULTING FIRMS WITH THE NECESSARY CREDENTIALS TO BID FOR THE EVALUATION THROUGH A COMPETITIVE SOLICITATION PROCESS IN ACCORDANCE WITH THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THIS TITLE 24. THE STATE AUDITOR SHALL SELECT A FIRM THAT HAS A HISTORY OF UNBIASED, PEER-REVIEWED RESULTS AND SHALL NOT SELECT A FIRM THAT HAS A KNOWN CONFLICT OF INTEREST THAT MAY INTERFERE WITH ITS ABILITY TO PRODUCE AN OBJECTIVE EVALUATION. ANY FIRM THAT RESPONDS TO THE COMPETITIVE SOLICITATION SHALL DISCLOSE ANY IMPAIRMENTS OR POTENTIAL IMPAIRMENTS TO ITS INDEPENDENCE IN CONDUCTING THE EVALUATION. THE STATE AUDITOR SHALL ENTER INTO A CONTRACT WITH THE SELECTED FIRM BY OCTOBER 31, 2017.

(2) THE FIRM RETAINED PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL EVALUATE THE FOLLOWING:

(a) THE CENTRALIZATION OF THE MANAGEMENT OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES IN THE OFFICE OF INFORMATION TECHNOLOGY PURSUANT TO SENATE BILL 08-155, ENACTED IN 2008, AND WHETHER THE CENTRALIZATION HAS ACHIEVED THE GOALS OF THE GENERAL ASSEMBLY REGARDING THE MANAGEMENT OF DAILY INFORMATION TECHNOLOGY OPERATIONS, INCLUDING BUT NOT LIMITED TO GOALS REGARDING:

(I) INFORMATION TECHNOLOGY HUMAN RESOURCES, INCLUDING BUT NOT LIMITED TO:

(A) WHETHER STATE AGENCIES HAVE TRANSFERRED INFORMATION TECHNOLOGY HUMAN RESOURCES TO THE OFFICE OF INFORMATION TECHNOLOGY;

(B) WHETHER STATE AGENCIES HAVE REDUCED THE NUMBER OF FULL-TIME EMPLOYEES PROVIDING INFORMATION TECHNOLOGY SERVICES; AND

(C) WHY REDUCTIONS AND TRANSFERS OF EMPLOYEES HAVE OR HAVE NOT OCCURRED AND WHAT MEASURES MAY HELP STATE AGENCIES ACHIEVE SUCH REDUCTIONS AND TRANSFERS IF THEY HAVE NOT OCCURRED;

(II) INFORMATION TECHNOLOGY INFRASTRUCTURE, INCLUDING BUT NOT LIMITED TO:

(A) WHETHER STATE AGENCIES HAVE TRANSFERRED INFORMATION TECHNOLOGY INFRASTRUCTURE TO THE OFFICE OF INFORMATION

TECHNOLOGY;

(B) WHY TRANSFERS OF INFORMATION TECHNOLOGY INFRASTRUCTURE HAVE OR HAVE NOT OCCURRED AND WHAT MEASURES MAY HELP STATE AGENCIES ACHIEVE SUCH TRANSFERS IF THEY HAVE NOT OCCURRED; AND

(C) WHETHER SOFTWARE AND HARDWARE DECISIONS MADE BY THE OFFICE OF INFORMATION TECHNOLOGY HAVE PROVIDED SAVINGS AND EFFICIENCIES TO THE STATE AND WHETHER THOSE SAVINGS CAN BE QUANTIFIED;

(III) WHETHER THE OFFICE OF INFORMATION TECHNOLOGY'S PRACTICE OF BILLING STATE AGENCIES FOR INFORMATION TECHNOLOGY SERVICES HAS RESULTED IN EFFICIENCIES OR LONG-TERM COST SAVINGS FOR THE STATE AND WHAT EFFECT SUCH PRACTICE HAS ON ACCOUNTING PROCESSES AND EMPLOYEE COSTS FOR STATE AGENCIES; AND

(IV) WHETHER THE OFFICE OF INFORMATION TECHNOLOGY HAS A STRATEGIC PLAN, OR ITS EQUIVALENT, TO USE CONSULTANTS, VENDORS, OR ORGANIZATIONS SUCH AS THE STATEWIDE INTERNET PORTAL AUTHORITY TO REALIZE THE ORIGINAL AND ONGOING OBJECTIVES OF CENTRALIZING THE MANAGEMENT OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES;

(b) WHETHER THE EXECUTIVE BRANCH HAS A STRATEGIC PLAN, OR ITS EQUIVALENT, IN PLACE TO GUIDE ITS PROCESS FOR EVALUATING, PRIORITIZING, AND SELECTING INFORMATION TECHNOLOGY PROJECTS THAT REQUIRE NEW OR ONGOING APPROPRIATIONS OF STATE MONEY, INCLUDING BUT NOT LIMITED TO:

(I) THE EFFICIENCY AND EFFECTIVENESS OF THE STATE'S CURRENT PROCESS FOR INFORMATION TECHNOLOGY PROJECT EVALUATION, PRIORITIZATION AND SELECTION, INCLUDING A COST-BENEFIT ANALYSIS, AND WHETHER THE OFFICE OF INFORMATION TECHNOLOGY, STATE AGENCIES, THE GOVERNOR'S OFFICE, OR THE JOINT TECHNOLOGY COMMITTEE OR JOINT BUDGET COMMITTEE COULD MAKE ANY CHANGES OR IMPROVEMENTS TO THE PROCESS; AND

(II) WHETHER THE OFFICE OF INFORMATION TECHNOLOGY'S EXISTING LEGISLATIVE REVIEW AND REPORTING PROCESSES IN CONNECTION WITH THE

JOINT BUDGET COMMITTEE AND THE JOINT TECHNOLOGY COMMITTEE ARE ADEQUATE;

(c) THE OPPORTUNITIES THE STATE HAS TO INTERFACE WITH THE PUBLIC THROUGH INFORMATION TECHNOLOGY, INCLUDING BUT NOT LIMITED TO WHETHER THE STATE CAN TAKE ADVANTAGE OF NEW AND EMERGING OPPORTUNITIES FOR FUTURE AUTOMATION AND ONLINE CITIZEN INTERACTION WITH GOVERNMENT AND, IF SO, HOW THE STATE COULD PROCEED WITH SUCH OPPORTUNITIES;

(d) THE OFFICE OF INFORMATION TECHNOLOGY'S WORKING RELATIONSHIP WITH STATE AGENCIES, DEPARTMENTS, OFFICES, AND INSTITUTIONS THAT WERE NOT INCLUDED IN THE CENTRALIZATION OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES PURSUANT TO SENATE BILL 08-155, ENACTED IN 2008, BUT RELY ON THE OFFICE OF INFORMATION TECHNOLOGY TO PROVIDE CERTAIN INFORMATION TECHNOLOGY SERVICES OR RESOURCES; AND

(e) CONSUMER SATISFACTION, TO BE DETERMINED THROUGH A CONSUMER SATISFACTION SURVEY, AMONG STATE AGENCIES WITH THE MANAGEMENT OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES AND ACCESS TO STATE GOVERNMENT VIA INFORMATION TECHNOLOGY RESOURCES.

(3) IN JUNE 2018, THE QUALIFIED, INDEPENDENT THIRD-PARTY CONSULTING FIRM RETAINED PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL PROVIDE AN UPDATE TO THE JOINT BUDGET COMMITTEE REGARDING THE PROGRESS OF THE EVALUATION. THE UPDATE NEED NOT INCLUDE PRELIMINARY FINDINGS.

(4) ON OR BEFORE DECEMBER 15, 2018, THE QUALIFIED, INDEPENDENT THIRD-PARTY CONSULTING FIRM SHALL SUBMIT A REPORT TO THE LEGISLATIVE AUDIT COMMITTEE, THE JOINT BUDGET COMMITTEE, THE JOINT TECHNOLOGY COMMITTEE, AND THE OFFICE OF INFORMATION TECHNOLOGY. THE REPORT SHALL INCLUDE:

(a) RECOMMENDATIONS TO THE OFFICE OF INFORMATION TECHNOLOGY FOR INDUSTRY BEST PRACTICE STANDARDS THAT SHOULD BE IMPLEMENTED;

(b) RECOMMENDATIONS TO THE OFFICE OF INFORMATION TECHNOLOGY REGARDING CHANGES THAT COULD BE MADE, WORKING WITH THE GENERAL ASSEMBLY, TO:

(I) REALIZE THE OUTCOMES ENVISIONED BY THE GENERAL ASSEMBLY WHEN IT CREATED THE OFFICE OF INFORMATION TECHNOLOGY AND CONSOLIDATED THE MANAGEMENT OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES AND SERVICES;

(II) IMPROVE THE PROCESS FOR EVALUATING, PRIORITIZING, AND SELECTING INFORMATION TECHNOLOGY PROJECTS;

(III) PROVIDE NEW AND BETTER OPPORTUNITIES FOR THE STATE TO INTERFACE WITH THE PUBLIC; AND

(IV) FACILITATE COLLABORATION AND COMMUNICATION BETWEEN THE OFFICE OF INFORMATION TECHNOLOGY AND STATE AGENCIES, DEPARTMENTS, OFFICES, AND INSTITUTIONS THAT WERE NOT INCLUDED IN THE LEGISLATION TO CENTRALIZE STATE AGENCY INFORMATION TECHNOLOGY RESOURCES BUT THAT RELY ON THE OFFICE OF INFORMATION TECHNOLOGY TO PROVIDE INFORMATION TECHNOLOGY SERVICES OR RESOURCES;

(c) RECOMMENDED FUTURE OPTIONS FOR THE STATE TO SOLICIT FEEDBACK FROM STATE RESIDENTS REGARDING THE PUBLIC'S OPPORTUNITIES TO INTERFACE WITH STATE GOVERNMENT; AND

(d) POLICY DISCUSSIONS DIRECTED TOWARD THE GENERAL ASSEMBLY, INCLUDING DISCUSSIONS REGARDING INTER-COMMITTEE PROCESSES BETWEEN THE JOINT BUDGET COMMITTEE AND THE JOINT TECHNOLOGY COMMITTEE FOR COORDINATING THE REVIEW OF INFORMATION TECHNOLOGY BUDGET REQUESTS.

(5) AFTER RECEIVING THE REPORT REQUIRED BY SUBSECTION (4) OF THIS SECTION, THE JOINT BUDGET COMMITTEE, THE JOINT TECHNOLOGY COMMITTEE, THE OFFICE OF INFORMATION TECHNOLOGY, AND ANY OTHER OFFICE OR DEPARTMENT THAT WAS THE SUBJECT OF RECOMMENDATIONS MADE IN THE REPORT SHALL MEET TO DISCUSS THE IMPLEMENTATION OF THE RECOMMENDATIONS MADE IN THE REPORT.

(6) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2020.

SECTION 2. Appropriation. For the 2017-18 state fiscal year, \$300,000 is appropriated to the legislative department for use by the office of the state auditor. This appropriation is from the general fund. To implement this act, the office may use this appropriation for the purposes authorized in section 24-37.5-803, C.R.S. Any money appropriated in this section not expended prior to July 1, 2018, is further appropriated to the office for the 2018-19 state fiscal year for the same purpose.

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO