

HOUSE BILL No. 2359

By Committee on Government, Technology and Security

Proposed Amendment to HB2359
#9 - Representative Pittman
Prepared by: Jenna Moyer
Office of Revisor of Statutes
March 13, 2017

1 AN ACT concerning information systems and communications; creating
2 the Kansas information technology enterprise; relating to consolidation
3 and transfer of executive branch information technology staff,
4 resources, functions and powers; amending K.S.A. 2016 Supp. 12-
5 5364, 74-9302, 74-9304, 74-9306, 74-99f04, 74-99f06, 74-99f08, 75-
6 3707e, 75-4701, 75-4702c, 75-4703, 75-4704, 75-4704a, 75-4704b, 75-
7 4705, 75-4709, 75-4710, 75-4718, 75-4719, 75-6512, 75-7201, 75-
8 7202, 75-7204, 75-7205 and 75-7224 and repealing the existing
9 sections.

10

11 Be it enacted by the Legislature of the State of Kansas:

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13 New Section 1. On the effective date of this act, the name of the
14 office of information technology services is hereby changed to the Kansas
15 information technology enterprise. All properties, moneys, appropriations,
16 rights and authorities now vested in the office of information technology
17 services shall be vested in the Kansas information technology enterprise.
18 Whenever the title of the office of information technology services, or
19 words of like effect, is referred to or designated by any statute, contract or
20 other document, such reference or designation shall be deemed to apply to
21 the Kansas information technology enterprise.

22

23 New Sec. 2. (a) On and after the effective date of this act, all
24 executive branch agencies shall be required to receive approval from the
25 executive chief information technology officer for all expenditures for
26 information technology by the agency. The head of each executive branch
27 agency shall provide information to and cooperate with the executive chief
28 information technology officer for the purpose of implementing and
29 administering this section.

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31 (b) On and after the effective date of this act, all executive branch
32 officers and employees whose duties or functions for executive branch
33 agencies concern information technology shall report directly to the
34 executive chief information technology officer.

35

36 New Sec. 3. (a) There is hereby created in the state treasury the
Kansas information technology enterprise fund. All amounts received
under this section shall be remitted to the state treasurer in accordance
with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
receipt of each such remittance, the state treasurer shall deposit the entire

cabinet

(c) On and after July 1, 2019, all executive
branch agencies shall be required to
receive approval from the executive chief
information technology officer for all
expenditures for information technology by
the agency. The head of each agency
shall provide information to and cooperate
with the executive chief information
technology officer for the purpose of
implementing and administering this
section.
(d) on and after July 1, 2019, executive
branch officers and employees whose
duties or functions for executive branch
agencies concern information technology
shall report directly to the executive chief
information technology officer.

1 benefit coverage or other benefits under the state health care benefits
2 program which would otherwise be payable by such officers and
3 employees; and (2) receive benefits under the state employee dependent
4 care assistance program under K.S.A. 75-6520, and amendments thereto.

5 (b) Any reduction in compensation for any person pursuant to any
6 such cafeteria plan shall not reduce the compensation of such person for
7 purposes of the employment security law, workers compensation act or the
8 purposes of determining contributions and benefits under the Kansas
9 public employees retirement system or any retirement system administered
10 by the board of trustees of the Kansas public employees retirement system.

11 (c) Implementation of any such cafeteria plan and any additions or
12 deletions thereto shall be subject to approval of the secretary of
13 administration and the ~~office of information technology services~~ *Kansas*
14 *information technology enterprise* to assure adequate data processing
15 resources therefor within the ~~office of information technology services~~
16 *Kansas information technology enterprise*.

17 Sec. 25. K.S.A. 2016 Supp. 75-7201 is hereby amended to read as
18 follows: 75-7201. As used in K.S.A. 2016 Supp. 75-7201 through 75-
19 7212, and sections 1 through 4, and amendments thereto:

20 (a) "Cumulative cost" means the total expenditures, from all sources,
21 for any information technology project by one or more state agencies to
22 meet project objectives from project start to project completion or the date
23 and time the project is terminated if it is not completed.

24 (b) "Executive branch agency" means any ~~state~~ agency in the
25 executive branch of ~~government~~ *the state of Kansas, but shall not include*
26 *elected office agencies or regents' institutions*.

27 (c) "Information technology project" means a project for a major
28 computer, telecommunications or other information technology
29 improvement with an estimated cumulative cost of \$250,000 or more and
30 includes any such project that has proposed expenditures for: (1) New or
31 replacement equipment or software; (2) upgrade improvements to existing
32 equipment and any computer systems, programs or software upgrades
33 therefor; or (3) data or consulting or other professional services for such a
34 project.

35 (d) "Information technology project change or overrun" means any of
36 the following:

37 (1) Any change in planned expenditures for an information
38 technology project that would result in the total authorized cost of the
39 project being increased above the currently authorized cost of such project
40 by more than either \$1,000,000 or 10% of such currently authorized cost
41 of such project, whichever is lower;

42 (2) any change in the scope of an information technology project, as
43 such scope was presented to and reviewed by the joint committee or the

(a) "Cabinet agency" means: the (1) department of administration; (2) department of revenue; (3) department of commerce; (4) department of labor; (5) department of health and environment; (6) Kansas department for aging and disability services; (7) Kansas department for children and families; (8) department of corrections; (9) adjutant general; (10) Kansas highway patrol; (11) Kansas department of agriculture; (12) Kansas department of wildlife, parks and tourism; and (13) department of transportation.

(and renumbering accordingly)