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H.302

Introduced by Representatives Botzow of Pownal, Atkins of Winooski,  
Consejo of Sheldon, Devereux of Mount Holly, Dickinson of  
St. Albans Town, Evans of Essex, Higley of Lowell, Hubert of  
Milton, Kitzmiller of Montpelier, Kupersmith of South  
Burlington, Marcotte of Coventry, Martin of Wolcott, Ralston  
of Middlebury, Shand of Weathersfield, Sweaney of Windsor,  
Townsend of Randolph and Young of Albany

Referred to Committee on

Date:

Subject: Libraries, history, and information technology; department of  
information and innovation; information security

Statement of purpose: This bill proposes to assign responsibilities regarding  
information security to the department of information and innovation.

An act relating to assigning responsibilities regarding information security  
to the department of information and innovation

It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 3 V.S.A. § 2222 is amended to read:

2 § 2222. POWERS AND DUTIES; BUDGET AND REPORT

3 (a) In addition to the duties expressly set forth elsewhere by law the  
4 secretary shall:

5 \* \* \*

6 (9) Submit to the general assembly concurrent with the governor's  
7 annual budget request required under 32 V.S.A. § 306, a strategic plan for  
8 information technology and information security which outlines the significant  
9 deviations from the previous year's information technology plan, and which  
10 details the plans for information technology activities of state government for  
11 the following fiscal year as well as the administration's financing  
12 recommendations for these activities. For purposes of this section,  
13 "information security" shall mean protecting information and information  
14 systems from unauthorized access, use, disclosure, disruption, modification, or  
15 destruction in order to provide integrity, confidentiality, and availability. All  
16 such plans shall be reviewed and approved by the commissioner of information  
17 and innovation prior to being included in the governor's annual budget request.  
18 The plan shall identify the proposed sources of funds for each project  
19 identified. The plan shall also contain a review of the state's information  
20 technology and information security and an identification of priority projects

1 by agency. The plan shall include, for any proposed information technology  
2 activity with a cost in excess of \$100,000.00:

3 (A) a life-cycle costs analysis including planning, purchase and  
4 development of applications, the purchase of hardware and the ~~on-going~~  
5 ongoing operation and maintenance costs to be incurred over the expected life  
6 of the systems; and a cost-benefit analysis which shall include acquisition costs  
7 as well as operational and maintenance costs over the expected life of the  
8 system;

9 (B) the cost savings ~~and/or~~ or service delivery improvements or both  
10 which will accrue to the public or to state government;

11 (C) a statement identifying any impact of the proposed new computer  
12 system on the privacy or disclosure of individually identifiable information;

13 (D) a statement identifying costs and issues related to public access  
14 to nonconfidential information;

15 (E) a statewide budget for all information technology activities with a  
16 cost in excess of ~~\$100,000~~ \$100,000.00.

17 (10) The secretary shall annually submit to the general assembly a  
18 five-year information technology and information security plan which  
19 indicates the anticipated information technology activities of the legislative,  
20 executive, and judicial branches of state government. For purposes of this  
21 section, "information technology activities" shall mean:

1 (A) the creation, collection, processing, storage, management,  
2 transmission, or conversion of electronic data, documents, or records;

3 (B) the design, construction, purchase, installation, maintenance, or  
4 operation of systems, including both hardware and software, which perform  
5 these activities.

6 Sec. 2. 22 V.S.A. § 901 is amended to read:

7 § 901. DEPARTMENT OF INFORMATION AND INNOVATION

8 The department of information and innovation, created in 3 V.S.A. § 2283b,  
9 shall have all the responsibilities assigned to it by law, including the following:

10 (1) to provide direction and oversight for all activities directly related to  
11 information technology and information security, including  
12 telecommunications services, information technology equipment, software,  
13 accessibility, and networks in state government. For purposes of this section,  
14 “information security” is defined in 3 V.S.A. § 2222(a)(9);

15 (2) to manage an agencywide coordinated information technology and  
16 information security budget;

17 (3) to manage GOVnet and K-12net;

18 (4) to review all information technology and information security  
19 requests for proposal in accordance with agency of administration policies;

20 (5) to review and approve computer systems or computer system  
21 upgrades in all departments with a cost in excess of \$100,000.00, and annually

1 submit to the general assembly a strategic plan for information technology and  
2 information security as required of the secretary of administration by 3 V.S.A.  
3 § 2222(a)(9);

4 (6) to review and approve information technology activities in all  
5 departments with a cost in excess of \$100,000.00, and annually submit to the  
6 general assembly a budget for information technology and information security  
7 as required of the secretary of administration by 3 V.S.A. § 2222(a)(9). For  
8 purposes of this section, “information technology activities” is defined in  
9 3 V.S.A. § 2222(a)(10);

10 \* \* \*

11 (11) to coordinate information technology and information security  
12 training within state government;

13 \* \* \*

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage.