

No. 48. An act relating to the Agency of Digital Services.

(H.458)

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

Sec. 1. INTENT

The intent of this act is for the Agency of Digital Services to provide the General Assembly and the public with more transparency about the scope, budget, and overall status of certain information technology projects being managed by the Agency. This act requires the Agency to include more details about information technology projects it manages in its annual reporting as well as on its publicly available website in the form of a current projects inventory.

Sec. 2. 3 V.S.A. § 3303 is amended to read:

§ 3303. REPORTING, RECORDS, AND REVIEW REQUIREMENTS

(a) Annual report and budget. The Secretary shall submit to the ~~General Assembly~~ House Committee on Energy and Digital Infrastructure and the Senate Committee on Institutions, concurrent with the Governor's annual budget request required under 32 V.S.A. § 306, an annual report for information technology and cybersecurity. The report shall reflect the priorities of the Agency and shall include:

(1) performance metrics and trends, including baseline and annual measurements, for each division of the Agency;

(2) a financial report of revenues and expenditures to date for the current fiscal year;

(3) costs avoided or saved as a result of technology optimization for the previous fiscal year;

(4) ~~an outline summary of information, including scope, schedule, budget, and status for information technology projects with total costs of \$500,000.00 or greater~~ a summary of each active information technology project managed by the Agency's Enterprise Project Management Office, including each project's:

(A) scope;

(B) budget;

(C) timeline; and

(D) status, which includes:

(i) project closure details;

(ii) project changes over time; and

(iii) other indicators of the project being on time and on budget;

(5) an annual update to the strategic plan prepared pursuant to subsection (c) of this section;

(6) a summary of independent reviews as required by subsection (d) of this section, including any uses of the waiver authority by the Chief Information Officer pursuant to subdivision (d)(3) of this section;

(7) the Agency budget submission;

(8) an annual update to the inventory required by section 3305 of this title; and-

(9) a report on the expenditures of the Technology Modernization Special Fund, a list of projects receiving funding from the Fund in the prior fiscal year, and a list of prioritized recommendations for projects to be funded from the Fund in the next fiscal year.

(b) Records. The Agency shall maintain the following records for information technology projects ~~with a total cost of \$500,000.00 or greater~~ managed by the Agency's Enterprise Project Management Office:

(1) A business case, including staffing costs, when available to and provided by the State government business partner, life-cycle costs, and sources of funds for design, development, and implementation, as well as maintenance and operations. The business case shall include expected benefits, including cost savings and service delivery improvements.

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(d) Independent expert review.

(1) The Agency shall obtain independent expert review of any new information technology projects with a total cost of \$1,000,000.00 or greater or when required by the Chief Information Officer.

(2) The independent review shall include:

- (A) an acquisition cost assessment;
- (B) a technology architecture and standards review;
- (C) an implementation plan assessment;
- (D) a cost analysis and a model for benefit analysis;
- (E) an analysis of alternatives;
- (F) an impact analysis on net operating costs for the agency carrying out the activity; and
- (G) a security assessment.

(3) The requirement to obtain independent expert review described in subdivision (1) of this subsection ~~(d)~~ may be waived by the Chief Information Officer if, in ~~his or her~~ the Chief Information Officer's judgment, such a review would be duplicative of one or more reviews that have been, or will be, conducted under a separate federal or State requirement. If waived, such waiver shall be in writing and in accordance with procedures established by the Chief Information Officer.

(e) Current projects inventory. The Agency shall maintain a project inventory on its publicly accessible website that displays the status of all current information technology projects managed by the Agency's Enterprise Project Management Office. The inventory shall be updated at least monthly and include the:

- (1) State government business partner for each project;
- (2) name of each project;
- (3) start date of each project;
- (4) estimated date of completion at the start of the implementation phase
of each project along with an indicator as to whether the project is on time;
- (5) estimated project cost at the start of the implementation phase of
each project along with an indicator as to whether the project is on budget;
- (6) current estimated date of completion of each project; and
- (7) current estimated cost of each project.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

Date Governor signed bill: June 5, 2025