

HOUSE BILL 1425

P1

6lr3461
CF SB 1003

By: **Delegate Frick**

Introduced and read first time: February 12, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Information Technology – Data Sharing and Integration**

3 FOR the purpose of expanding the duties of the Secretary of Information Technology to
4 include the permitting of data sharing and integration among certain units of State
5 government; requiring a certain information technology master plan to include a
6 certain component and comply with certain security measures relating to data
7 sharing and integration; requiring certain State units to develop and submit the
8 priorities of the unit for data integration to the Secretary; requiring each State unit
9 to submit to the Secretary the unit's current State government integration efforts;
10 establishing the Management Intelligence Incentive Fund as a special, nonlapsing
11 fund; specifying the purpose of the Fund; requiring the Secretary to administer the
12 Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account
13 for the Fund; specifying the contents of the Fund; prohibiting the inclusion in the
14 Fund of money received by certain entities; providing for the investment of money in
15 the Fund; requiring interest earnings of the Fund to be credited to the Fund;
16 exempting the Fund from a certain provision of law requiring interest earnings on
17 State money to accrue to the General Fund of the State; requiring the Governor to
18 submit with the State budget certain information about the Fund and projects
19 supported by the Fund; providing that expenditures from the Fund are subject to
20 certain budget process limitations; specifying the purposes for which the Fund may
21 be used; authorizing certain State units to request certain funding from the Fund;
22 requiring the Secretary to establish certain procedures and prioritize certain criteria
23 when determining whether to approve a certain request for funding; requiring the
24 Secretary to submit a certain report on or before a certain date each year to the
25 Governor, the Secretary of Budget and Management, and the budget committees of
26 the General Assembly; requiring the Secretary to provide a certain summary report
27 on or before a certain date each year to the Department of Legislative Services;
28 defining certain terms; and generally relating to data sharing and integration and
29 the Management Intelligence Incentive Fund.

30 BY renumbering

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Finance and Procurement
2 Section 3A–310 through 3A–313, respectively
3 to be Section 3A–311 through 3A–314, respectively
4 Annotated Code of Maryland
5 (2015 Replacement Volume)

6 BY repealing and reenacting, with amendments,
7 Article – State Finance and Procurement
8 Section 3A–303 through 3A–305 and 6–226(a)(2)(ii)84. and 85.
9 Annotated Code of Maryland
10 (2015 Replacement Volume)

11 BY adding to
12 Article – State Finance and Procurement
13 Section 3A–310 and 6–226(a)(2)(ii)86.
14 Annotated Code of Maryland
15 (2015 Replacement Volume)

16 BY repealing and reenacting, without amendments,
17 Article – State Finance and Procurement
18 Section 6–226(a)(2)(i)
19 Annotated Code of Maryland
20 (2015 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That Section(s) 3A–310 through 3A–313, respectively, of Article – State Finance and
23 Procurement of the Annotated Code of Maryland be renumbered to be Section(s) 3A–311
24 through 3A–314, respectively.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
26 as follows:

27 **Article – State Finance and Procurement**

28 3A–303.

29 The Secretary is responsible for carrying out the following duties:

30 (1) developing, maintaining, revising, and enforcing information
31 technology policies, procedures, and standards;

32 (2) providing technical assistance, advice, and recommendations to the
33 Governor and any unit of State government concerning information technology matters;

34 (3) reviewing the annual project plan for each unit of State government to
35 make information and services available to the public over the Internet;

1 (4) developing and maintaining a statewide information technology master
2 plan that will:

3 (i) be the basis for the management and direction of information
4 technology within the Executive Branch of State government;

5 (ii) include all aspects of State information technology including
6 telecommunications, data processing, and information management;

7 (iii) consider interstate transfers as a result of federal legislation and
8 regulation;

9 (iv) work jointly with the Secretary of Budget and Management to
10 ensure that information technology plans and budgets are consistent;

11 (v) ensure that State information technology plans, policies, and
12 standards are consistent with State goals, objectives, and resources, and represent a
13 long-range vision for using information technology to improve the overall effectiveness of
14 State government; [and]

15 (vi) include standards to assure nonvisual access to the information
16 and services made available to the public over the Internet; and

17 **(VII) PERMIT THE INTEGRATION OF DATA AND THE SHARING OF**
18 **INFORMATION AMONG UNITS OF STATE GOVERNMENT; AND**

19 (5) adopting by regulation and enforcing nonvisual access standards to be
20 used in the procurement of information technology services by or on behalf of units of State
21 government.

22 3A-304.

23 **(A)** The Secretary shall develop a statewide information technology master plan.

24 **(B) (1) THE MASTER PLAN SHALL INCLUDE A COMPONENT ON THE**
25 **INTEGRATION OF DATA AND THE SHARING OF INFORMATION AMONG UNITS OF**
26 **STATE GOVERNMENT.**

27 **(2) THE COMPONENT SHALL INCLUDE:**

28 **(I) REQUIREMENTS FOR ACHIEVING STATEWIDE DATA**
29 **INTEGRATION;**

30 **(II) AN IMPLEMENTATION SCHEDULE;**

1 **(III) PRIORITIES FOR DATA INTEGRATION, BEGINNING WITH THE**
2 **INTEGRATION OF DATA SYSTEMS THAT THE SECRETARY IDENTIFIES AS MOST**
3 **BENEFICIAL IN TERMS OF:**

4 **1. CREATING TIME EFFICIENCIES;**

5 **2. CREATING SERVICE IMPROVEMENTS; AND**

6 **3. ACHIEVING COST SAVINGS;**

7 **(IV) THE IDENTIFICATION OF CURRENT STATEWIDE AND**
8 **AGENCY DATA INTEGRATION EFFORTS AND A LONG-TERM STRATEGY FOR**
9 **INTEGRATING THOSE EFFORTS INTO THE MASTER PLAN;**

10 **(V) THE IDENTIFICATION OF CURRENT AGENCY MANAGEMENT**
11 **INTELLIGENCE AND ANALYTIC NEEDS AND A LONG-TERM STRATEGY FOR**
12 **PRIORITIZING THOSE NEEDS IN THE MASTER PLAN; AND**

13 **(VI) DETAILED COST INFORMATION FOR DEVELOPMENT,**
14 **IMPLEMENTATION, OPERATIONS, AND MAINTENANCE COSTS FOR THE 5-YEAR**
15 **PERIOD FOLLOWING THE DEVELOPMENT OF THE MASTER PLAN.**

16 **(C) THE MASTER PLAN SHALL PROVIDE FOR COMPLIANCE WITH ALL**
17 **NECESSARY SECURITY MEASURES AND RESTRICTIONS TO ENSURE THAT ACCESS TO**
18 **SPECIFIC INFORMATION DEEMED CONFIDENTIAL UNDER FEDERAL OR STATE LAW**
19 **IS LIMITED TO APPROPRIATELY AUTHORIZED PERSONS.**

20 3A-305.

21 (a) Except as provided in subsection (b) of this section, in accordance with
22 guidelines established by the Secretary, each unit of State government shall:

23 **(1)** develop and submit to the Secretary:

24 **[(1)] (I)** information technology policies and standards;

25 **[(2)] (II)** an information technology plan; [and]

26 **[(3)] (III)** an annual project plan outlining the status of efforts to make
27 information and services available to the public over the Internet; **AND**

28 **(IV) THE PRIORITIES OF THE UNIT FOR DATA INTEGRATION; AND**

1 **(2) SUBMIT TO THE SECRETARY THE UNIT'S CURRENT STATE**
2 **GOVERNMENT DATA INTEGRATION EFFORTS.**

3 (b) (1) The governing boards of the public institutions of higher education shall
4 develop and submit information technology policies and standards and an information
5 technology plan for their respective institutions or systems to the Secretary.

6 (2) If the Secretary finds that the submissions required under this
7 subsection are consistent with the master plan, the Secretary shall incorporate those
8 submissions into the master plan.

9 (3) If the Secretary finds that the submissions required under this
10 subsection are not consistent with the master plan:

11 (i) the Secretary shall return the submissions to the governing
12 boards; and

13 (ii) the governing boards shall revise the submissions as appropriate
14 and submit the revised policies, standards, and plans to the Secretary.

15 **3A-310.**

16 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
17 **INDICATED.**

18 **(2) "ENTERPRISE LEVEL DATA ANALYTICS" MEANS STANDARD DATA**
19 **ANALYTICS CAPABILITIES AND SERVICES THAT LEVERAGE DATA THROUGHOUT ALL**
20 **UNITS OF STATE GOVERNMENT.**

21 **(3) "FUND" MEANS THE MANAGEMENT INTELLIGENCE INCENTIVE**
22 **FUND.**

23 **(4) (I) "MANAGEMENT INTELLIGENCE" MEANS THE PROCESS OF**
24 **COLLECTING, ORGANIZING, SHARING, AND ANALYZING DATA THROUGH**
25 **INTEGRATED DATA MANAGEMENT, REPORTING, VISUALIZATION, AND ADVANCED**
26 **DATA ANALYTICS TO DISCOVER PATTERNS AND OTHER USEFUL INFORMATION THAT**
27 **WILL ALLOW POLICYMAKERS AND STATE OFFICIALS TO MAKE MORE INFORMED**
28 **DECISIONS.**

29 **(II) "MANAGEMENT INTELLIGENCE" INCLUDES:**

30 **1. BROAD MASTER DATA MANAGEMENT CAPABILITIES,**
31 **INCLUDING DATA INTEGRATION, DATA QUALITY AND ENRICHMENT, DATA**
32 **GOVERNANCE, AND MASTER DATA MANAGEMENT THAT ALLOW FOR THE**

1 (4) ANY OTHER MONEY FROM ANY SOURCE ACCEPTED FOR THE
2 BENEFIT OF THE FUND.

3 (G) THE FUND MAY NOT INCLUDE ANY MONEY RECEIVED BY:

4 (1) THE DEPARTMENT OF TRANSPORTATION;

5 (2) THE MARYLAND TRANSPORTATION AUTHORITY;

6 (3) THE MARYLAND PUBLIC BROADCASTING COMMISSION; OR

7 (4) THE JUDICIAL OR LEGISLATIVE BRANCHES OF STATE
8 GOVERNMENT.

9 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
10 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

11 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED
12 TO THE FUND.

13 (I) THE GOVERNOR SHALL SUBMIT WITH THE STATE BUDGET:

14 (1) A SUMMARY SHOWING THE UNENCUMBERED BALANCE OF THE
15 FUND AS OF THE CLOSE OF THE PRIOR FISCAL YEAR AND A LISTING OF ANY
16 ENCUMBRANCES;

17 (2) AN ESTIMATE OF PROJECTED REVENUE FROM EACH OF THE
18 SOURCES SPECIFIED IN SUBSECTION (F) OF THIS SECTION FOR THE FISCAL YEAR
19 FOR WHICH THE STATE BUDGET IS SUBMITTED; AND

20 (3) A DESCRIPTIVE LISTING OF PROJECTS REFLECTING PROJECTED
21 COSTS FOR THE FISCAL YEAR FOR WHICH THE STATE BUDGET IS SUBMITTED AND
22 ANY ESTIMATED FUTURE YEAR COSTS.

23 (J) (1) EXPENDITURES FROM THE FUND MAY BE MADE ONLY:

24 (I) IN ACCORDANCE WITH AN APPROPRIATION APPROVED BY
25 THE GENERAL ASSEMBLY IN THE STATE BUDGET; OR

26 (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,
27 THROUGH AN APPROVED STATE BUDGET AMENDMENT UNDER TITLE 7, SUBTITLE 2,
28 PART II OF THIS ARTICLE.

1 **(2) THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY SHALL**
2 **HAVE 30 DAYS TO REVIEW AND OFFER COMMENT TO THE GOVERNOR ON A STATE**
3 **BUDGET AMENDMENT IF THE AMENDMENT:**

4 **(I) WAS NOT REQUESTED AS PART OF THE STATE BUDGET**
5 **SUBMISSION; OR**

6 **(II) WOULD INCREASE THE PROJECT SCOPE BY MORE THAN 5%**
7 **OR THE PROJECT COST BY MORE THAN \$250,000.**

8 **(K) (1) THE FUND MAY BE USED FOR MANAGEMENT INTELLIGENCE**
9 **PROJECTS.**

10 **(2) A UNIT OF STATE GOVERNMENT MAY SUBMIT A REQUEST TO THE**
11 **SECRETARY TO SUPPORT THE COST OF A MANAGEMENT INTELLIGENCE PROJECT.**

12 **(3) THE SECRETARY SHALL:**

13 **(I) ESTABLISH PROCEDURES FOR THE SUBMISSION OF A**
14 **REQUEST FOR SUPPORT AND THE GRANTING OF MONEY FROM THE FUND UNDER**
15 **THIS SUBSECTION; AND**

16 **(II) WHEN DETERMINING WHETHER TO APPROVE A REQUEST**
17 **FOR PROJECT SUPPORT:**

18 **1. CONSIDER WHICH PROJECTS, IN THE SECRETARY'S**
19 **JUDGMENT, ARE BEST ABLE TO:**

20 **A. FORMAT ACCESS AND DISTRIBUTE DATA TO A WIDER**
21 **RANGE OF STATE EMPLOYEE USERS;**

22 **B. CREATE DATA PICTURES AND DASHBOARDS THAT**
23 **COMBINE AND INTEGRATE DATA FROM A VARIETY OF SOURCES;**

24 **C. INTEGRATE DATA IN LOGICAL FORMATS WITHOUT**
25 **HAVING TO MAKE PHYSICAL STORES OF DATA AVAILABLE TO END USERS;**

26 **D. MAKE DATA MORE ACCURATE, CONSISTENT, AND**
27 **USEFUL TO END USERS;**

28 **E. CREATE AND MANAGE A SINGLE VIEW OF DATA FOR A**
29 **BROADER SET OF USERS WITHIN A UNIT OF STATE GOVERNMENT;**

1 **F. CREATE A FORMAL MANAGEMENT SYSTEM FOR**
2 **GROUPS OF RELEVANT DATA;**

3 **G. USE INTEGRATED TECHNOLOGY CAPABILITIES THAT**
4 **SUPPORT ALL ASPECTS OF MANAGEMENT INTELLIGENCE; AND**

5 **H. USE INTEGRATED TECHNOLOGY CAPABILITIES THAT**
6 **ENABLE ENTERPRISE LEVEL DATA ANALYTICS ACROSS SEVERAL UNITS OF STATE**
7 **GOVERNMENT; AND**

8 **2. GIVE PRIORITY TO PROJECTS THAT ADDRESS**
9 **MULTIPLE CRITERIA UNDER ITEM 1 OF THIS ITEM.**

10 **(L) (1) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE SECRETARY**
11 **SHALL REPORT TO THE GOVERNOR, THE SECRETARY OF BUDGET AND**
12 **MANAGEMENT, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT**
13 **ARTICLE, TO THE BUDGET COMMITTEES OF THE GENERAL ASSEMBLY.**

14 **(2) THE REPORT SHALL INCLUDE:**

15 **(I) THE FINANCIAL STATUS OF THE FUND AND A SUMMARY OF**
16 **ITS OPERATIONS FOR THE PRECEDING FISCAL YEAR;**

17 **(II) AN ACCOUNTING FOR THE PRECEDING FISCAL YEAR OF ALL**
18 **MONEY FROM EACH OF THE REVENUE SOURCES SPECIFIED IN SUBSECTION (F) OF**
19 **THIS SECTION, INCLUDING ANY EXPENDITURES MADE FROM THE FUND; AND**

20 **(III) FOR EACH MANAGEMENT INTELLIGENCE PROJECT**
21 **RECEIVING MONEY FROM THE FUND IN THE PRECEDING FISCAL YEAR AND FOR**
22 **EACH PROJECT RECEIVING FUNDING FROM ANY SOURCE OTHER THAN THE FUND IN**
23 **THE PRECEDING FISCAL YEAR:**

24 **1. THE STATUS OF THE PROJECT;**

25 **2. A COMPARISON OF ESTIMATED AND ACTUAL COSTS OF**
26 **THE PROJECT;**

27 **3. ANY KNOWN OR ANTICIPATED CHANGES IN THE SCOPE**
28 **OR COSTS OF THE PROJECT;**

29 **4. AN EVALUATION OF WHETHER THE PROJECT IS USING**
30 **BEST PRACTICES; AND**

1 **5. A SUMMARY OF ANY MONITORING AND OVERSIGHT OF**
2 **THE PROJECT FROM OUTSIDE THE AGENCY IN WHICH THE PROJECT IS BEING**
3 **DEVELOPED, INCLUDING A DESCRIPTION OF ANY PROBLEMS IDENTIFIED BY ANY**
4 **EXTERNAL REVIEW AND ANY CORRECTIVE ACTIONS TAKEN.**

5 **(M) ON OR BEFORE JANUARY 15 EACH YEAR, FOR EACH MANAGEMENT**
6 **INTELLIGENCE PROJECT CURRENTLY IN DEVELOPMENT, THE SECRETARY SHALL**
7 **PROVIDE A SUMMARY REPORT TO THE DEPARTMENT OF LEGISLATIVE SERVICES, IN**
8 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, WITH THE**
9 **MOST RECENT PROJECT INFORMATION INCLUDING:**

10 **(1) PROJECT STATUS;**

11 **(2) ANY SCHEDULE, COST, AND SCOPE CHANGES SINCE THE LAST**
12 **ANNUAL REPORT;**

13 **(3) A RISK ASSESSMENT INCLUDING ANY PROBLEMS IDENTIFIED BY**
14 **ANY INTERNAL OR EXTERNAL REVIEW AND ANY CORRECTIVE ACTIONS TAKEN; AND**

15 **(4) ANY CHANGE IN THE MONITORING OR OVERSIGHT STATUS.**

16 6-226.

17 (a) (2) (i) Notwithstanding any other provision of law, and unless
18 inconsistent with a federal law, grant agreement, or other federal requirement or with the
19 terms of a gift or settlement agreement, net interest on all State money allocated by the
20 State Treasurer under this section to special funds or accounts, and otherwise entitled to
21 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
22 Fund of the State.

23 (ii) The provisions of subparagraph (i) of this paragraph do not apply
24 to the following funds:

25 84. the Economic Development Marketing Fund; [and]

26 85. the Military Personnel and Veteran-Owned Small
27 Business No-Interest Loan Fund; AND

28 **86. THE MANAGEMENT INTELLIGENCE INCENTIVE**
29 **FUND.**

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2016.