HOUSE BILL 346

By: Delegate Novotny
Introduced and read first time: January 19, 2022
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

Department of Information Technology – Oversight of Legislative Branch

Information Technology

FOR the purpose of applying certain provisions related to the oversight of information technology, information technology projects, information technology accessibility, and cybersecurity by the Secretary of Information Technology to the Legislative Branch of State government; and generally relating to information technology and the Legislative Branch of State government.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A–301(a), 3A–305(a), 3A–306, and 3A–307(a)(1)
Annotated Code of Maryland
(2021 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 3A–301(m)
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–302 and 3A–303(a)
Annotated Code of Maryland
(2021 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Finance and Procurement

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
In this subtitle the following words have the meanings indicated.

(M) "UNIT OF STATE GOVERNMENT" INCLUDES, UNLESS OTHERWISE SPECIFIED, AN AGENCY OR A UNIT OF THE LEGISLATIVE BRANCH OF STATE GOVERNMENT.

This subtitle does not apply to changes relating to or the purchase, lease, or rental of information technology by:

1. public institutions of higher education solely for academic or research purposes;
2. the Maryland Port Administration;
3. the University System of Maryland;
4. St. Mary’s College of Maryland;
5. Morgan State University;
6. the Maryland Stadium Authority; or
7. Baltimore City Community College.

Except as provided in subsection (a) of this section, this subtitle applies to any project of a unit of the Executive Branch or the Legislative Branch of State government that involves an agreement with a public institution of higher education for a portion of the development of the project, whether the work on the development is done directly or indirectly by the public institution of higher education.

Notwithstanding any other provision of law, except as provided in subsection (a) of this section and §§ 3A–307(a)(2), 3A–308, and 3A–309 of this subtitle, this subtitle applies to all units of the Executive and Legislative Branches of State government including public institutions of higher education other than Morgan State University, the University System of Maryland, St. Mary’s College of Maryland, and Baltimore City Community College.

The Secretary is responsible for carrying out the following duties:
(1) developing, maintaining, revising, and enforcing information technology policies, procedures, and standards;

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

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

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

   (i) be the basis for the management and direction of information technology within the Executive [Branch] AND LEGISLATIVE BRANCHES of State government;

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

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

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

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

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

(5) adopting by regulation and enforcing nonvisual access standards to be used in the procurement of information technology services by or on behalf of units of State government in accordance with subsection (b) of this section;

(6) in consultation with the Attorney General, advising and overseeing a consistent cybersecurity strategy for units of State government, including institutions under the control of the governing boards of the public institutions of higher education;

(7) advising and consulting with the [Legislative and] Judicial [branches] BRANCH of State government regarding a cybersecurity strategy; and

(8) in consultation with the Attorney General, developing guidance on consistent cybersecurity strategies for counties, municipal corporations, school systems, and all other political subdivisions of the State.
(a) Except as provided in subsection (b) of this section, in accordance with guidelines established by the Secretary, each unit of State government shall develop and submit to the Secretary:

(1) information technology policies and standards;

(2) an information technology plan; and

(3) an annual project plan outlining the status of efforts to make information and services available to the public over the Internet.

Information technology of each unit of State government shall be consistent with the master plan.

(a) (1) A unit of State government may not purchase, lease, or rent information technology unless consistent with the master plan.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.