

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1132 (Delegate Hill, *et al.*)
 Appropriations

State Government - Technology and Science Advisory Commission - Established

This bill establishes the Technology and Science Advisory Commission (TSAC) as well as the membership and responsibilities of the commission. TSAC must be staffed by the Department of Information Technology (DoIT). For each fiscal year, the Governor must include in the annual budget bill an appropriation of \$100,000 to the commission. By December 31 of each year, the commission must submit a report on its activities and recommendations to the Governor and General Assembly. **The bill takes effect July 1, 2023, and terminates June 30, 2028.**

Fiscal Summary

State Effect: General fund expenditures increase by \$100,000 annually from FY 2025 through 2028 in accordance with the bill’s mandated appropriation; although discretionary, this analysis assumes funding for the commission is provided in FY 2024 as well. However, DoIT advises that \$100,000 annually may not be sufficient to handle the research and staffing needs of the commission, as discussed below. Affected State agencies can participate in the commission using existing budgeted resources. Revenues are not affected. **This bill establishes a mandated appropriation beginning in FY 2025 through FY 2028.**

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	100,000	100,000	100,000	100,000	100,000
Net Effect	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)	(\$100,000)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill does not affect local governmental operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: TSAC must:

- advise State agencies on technology and science developments;
- make recommendations on the proper use of developing technology and science within the State and how developments can be implemented in the State;
- review and make recommendations on algorithmic decision system policies, practices, and regulations employed by State agencies;
- create a framework for addressing the ethics of emerging and innovative technologies and science that will avoid systemic harm and bias and prioritize equity, sustainability, accountability, and responsible stewardship of public resources;
- prohibit individuals from inhibiting the expertise of the commission members and interfering with data developed from recommendations; and
- establish workgroups to study and make recommendations on specified issues.

A member of the commission may not receive compensation as a member of the commission but is entitled to reimbursement for expenses.

Current Law: DoIT and the Secretary of Information Technology are responsible for:

- developing and enforcing information technology (IT) policies, procedures, and standards;
- providing technical assistance, advice, and recommendations to any unit of State government;
- reviewing agency project plans to make information and services available to the public over the Internet;
- developing and maintaining a statewide IT master plan, as specified;
- developing a Statewide cybersecurity strategy, as specified;
- adopting and enforcing nonvisual access standards to be used in the procurement of IT services, as specified;
- in consultation with the Maryland Cybersecurity Coordinating Council (MCCC), advising and overseeing a consistent cybersecurity strategy for units of State government, as specified;
- advising and consulting with the Legislative and Judicial branches of State government regarding a cybersecurity strategy;
- in consultation with MCCC, developing guidance on consistent cybersecurity strategies for specified local government entities;
- upgrading IT and cybersecurity-related State government infrastructure; and

- annually evaluating (1) the feasibility of units of State government providing public services using artificial intelligence, machine learning, commercial cloud computer services, device-as-a-service procurement models, and other emerging technologies and (2) the development of data analytics capabilities to enable data-driven policymaking by units of State government.

State Expenditures: General fund expenditures by DoIT increase by \$100,000 annually from fiscal 2024 through 2028 for staffing and/or consulting services. This accounts for the bill’s mandated appropriation beginning in fiscal 2025 and assumes discretionary funding is provided in fiscal 2024 as well.

DoIT advises that \$100,000 annually may not be sufficient for the staffing and research costs associated with the commission’s activities. Specifically, the work of the commission is anticipated to be highly technical in nature and many DoIT staff are fully subscribed due in part to the significant expansion of cybersecurity duties for DoIT under Chapters 241, 242, and 243 of 2022. This being the case, DoIT advises that two additional staff are likely needed at an estimated cost of about \$200,000 in fiscal 2024 increasing to about \$280,000 in fiscal 2028. The Department of Legislative Services believes that \$100,000 should be sufficient to cover the commission’s staffing and consulting costs but acknowledges that additional resources may be needed if the commission elects to pursue its responsibilities in greater depth than envisioned by this analysis.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1359 of 2022.

Designated Cross File: None.

Information Source(s): Department of Information Technology; University System of Maryland; Morgan State University; Department of Budget and Management; Department of Human Services; Department of Juvenile Services; Department of Public Safety and Correctional Services; Maryland Department of Transportation; Department of Legislative Services

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