

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. If and only if House Bill 5611 of the 100th  
5 General Assembly becomes law in the form in which it passed the  
6 House on April 23, 2018, then the Department of Innovation and  
7 Technology Act is amended by changing Sections 1-5 and 1-30 as  
8 follows:

9 (100HB5611eng, Sec. 1-5)

10 Sec. 1-5. Definitions. In this Act:

11 "Bureau of Communications and Computer Services" means the  
12 Bureau of Communications and Computer Services, also known as  
13 the Bureau of Information and Communication Services, created  
14 by rule (2 Illinois Administrative Code 750.40) within the  
15 Department of Central Management Services.

16 "Client agency" means each transferring agency, or its  
17 successor. When applicable, "client agency" may also include  
18 any other public agency to which the Department provides  
19 service to the extent specified in an interagency contract with  
20 the public agency ~~"Client agency" also includes each other~~  
21 ~~public agency to which the Department provides service.~~

22 "Dedicated unit" means the dedicated bureau, division,  
23 office, or other unit within a transferring agency that is

1 responsible for the information technology functions of the  
2 transferring agency. For the Office of the Governor, "dedicated  
3 unit" means the Information Technology Office, also known as  
4 the Office of the Chief Information Officer. For the Department  
5 of Central Management Services, "dedicated unit" means the  
6 Bureau of Communications and Computer Services, also known as  
7 the Bureau of Information and Communication Services.

8 "Department" means the Department of Innovation and  
9 Technology.

10 "Information technology" means technology, infrastructure,  
11 equipment, systems, software, networks, and processes used to  
12 create, send, receive, and store electronic or digital  
13 information, including, without limitation, computer systems  
14 and telecommunication services and systems. "Information  
15 technology" shall be construed broadly to incorporate future  
16 technologies (such as sensors and balanced private hybrid or  
17 public cloud posture tailored to the mission of the agency)  
18 that change or supplant those in effect as of the effective  
19 date of this Act.

20 "Information technology functions" means the development,  
21 procurement, installation, retention, maintenance, operation,  
22 possession, storage, and related functions of all information  
23 technology.

24 "Information Technology Office" means the Information  
25 Technology Office, also known as the Office of the Chief  
26 Information Officer, within the Office of the Governor, created

1 by Executive Order 1999-05, or its successor.

2 "Legacy information technology division" means any  
3 division, bureau, or other unit of a transferring agency which  
4 has responsibility for information technology functions for  
5 the agency prior to the transfer of those functions to the  
6 Department, including, without limitation, the Bureau of  
7 Communications and Computer Services.

8 "Secretary" means the Secretary of Innovation and  
9 Technology.

10 "State agency" means each State agency, department, board,  
11 and commission directly responsible to the Governor.

12 "Transferring agency" means the Department on Aging; the  
13 Departments of Agriculture, Central Management Services,  
14 Children and Family Services, Commerce and Economic  
15 Opportunity, Corrections, Employment Security, Financial and  
16 Professional Regulation, Healthcare and Family Services, Human  
17 Rights, Human Services, Insurance, Juvenile Justice, Labor,  
18 Lottery, Military Affairs, Natural Resources, Public Health,  
19 Revenue, State Police, Transportation, and Veterans' Affairs;  
20 the Capital Development Board; the Deaf and Hard of Hearing  
21 Commission; the Environmental Protection Agency; the  
22 Governor's Office of Management and Budget; the Guardianship  
23 and Advocacy Commission; the Historic Preservation Agency; the  
24 Illinois Arts Council; the Illinois Council on Developmental  
25 Disabilities; the Illinois Emergency Management Agency; the  
26 Illinois Gaming Board; the Illinois Health Information

1 Exchange Authority; the Illinois Liquor Control Commission;  
2 ~~the Illinois Student Assistance Commission;~~ the Illinois  
3 Technology Office; the Office of the State Fire Marshal; and  
4 the Prisoner Review Board. "Transferring agency" does not  
5 include a State constitutional office, the Office of the  
6 Executive Inspector General, or any office of the legislative  
7 or judicial branches of State government.

8 (Source: 100HB5611eng, Sec. 1-5.)

9 (100HB5611eng, Sec. 1-30)

10 Sec. 1-30. Information technology.

11 (a) The Secretary shall be the Chief Information Officer  
12 for the State and the steward of State data with respect to  
13 those agencies under the jurisdiction of the Governor. It shall  
14 be the duty of the Department and the policy of the State of  
15 Illinois to manage or delegate the management of the  
16 procurement, retention, installation, maintenance, and  
17 operation of all information technology used by client  
18 agencies, so as to achieve maximum economy consistent with  
19 development of appropriate and timely information in a form  
20 suitable for management analysis, in a manner that provides for  
21 adequate security protection and back-up facilities for that  
22 equipment, the establishment of bonding requirements, and a  
23 code of conduct for all information technology personnel to  
24 ensure the privacy of information technology information as  
25 provided by law.

1           (b) The Department shall be responsible for providing the  
2 Governor with timely, comprehensive, and meaningful  
3 information pertinent to the formulation and execution of  
4 fiscal policy. In performing this responsibility the  
5 Department shall have the power to do the following:

6           (1) Control the procurement, retention, installation,  
7 maintenance, and operation, as specified by the  
8 Department, of information technology equipment used by  
9 client agencies in such a manner as to achieve maximum  
10 economy and provide appropriate assistance in the  
11 development of information suitable for management  
12 analysis.

13           (2) Establish principles and standards of information  
14 technology-related reporting by client agencies and  
15 priorities for completion of research by those agencies in  
16 accordance with the requirements for management analysis  
17 specified by the Department.

18           (3) Establish charges for information technology and  
19 related services requested by client agencies and rendered  
20 by the Department. The Department is likewise empowered to  
21 establish prices or charges for all information technology  
22 reports purchased by agencies and individuals not  
23 connected with State government.

24           (4) Instruct all client agencies to report regularly to  
25 the Department, in the manner the Department may prescribe,  
26 their usage of information technology, the cost incurred,

1 the information produced, and the procedures followed in  
2 obtaining the information. All client agencies shall  
3 request from the Department assistance and consultation in  
4 securing any necessary information technology to support  
5 their requirements.

6 (5) Examine the accounts and information  
7 technology-related data of any organization, body, or  
8 agency receiving appropriations from the General Assembly,  
9 except for a State constitutional office, the Office of the  
10 Executive Inspector General, or any office of the  
11 legislative or judicial branches of State government. For a  
12 State constitutional office, the Office of the Executive  
13 Inspector General, or any office of the legislative or  
14 judicial branches of State government, the Department  
15 shall have the power to examine the accounts and  
16 information technology-related data of the State  
17 constitutional office, the Office of the Executive  
18 Inspector General, or any office of the legislative or  
19 judicial branches of State government when requested by  
20 those offices ~~that office~~.

21 (6) Install and operate a modern information  
22 technology system utilizing equipment adequate to satisfy  
23 the requirements for analysis and review as specified by  
24 the Department. Expenditures for information technology  
25 and related services rendered shall be reimbursed by the  
26 recipients. The reimbursement shall be determined by the

1 Department as amounts sufficient to reimburse the  
2 Technology Management Revolving Fund for expenditures  
3 incurred in rendering the services.

4 (c) In addition to the other powers and duties listed in  
5 subsection (b), the Department shall analyze the present and  
6 future aims, needs, and requirements of information  
7 technology, research, and planning in order to provide for the  
8 formulation of overall policy relative to the use of  
9 information technology and related equipment by the State of  
10 Illinois. In making this analysis, the Department shall  
11 formulate a master plan for information technology, utilizing  
12 information technology most advantageously, and advising  
13 whether information technology should be leased or purchased by  
14 the State. The Department shall prepare and submit interim  
15 reports of meaningful developments and proposals for  
16 legislation to the Governor on or before January 30 each year.  
17 The Department shall engage in a continuing analysis and  
18 evaluation of the master plan so developed, and it shall be the  
19 responsibility of the Department to recommend from time to time  
20 any needed amendments and modifications of any master plan  
21 enacted by the General Assembly.

22 (d) The Department may make information technology and the  
23 use of information technology available to units of local  
24 government, elected State officials, State educational  
25 institutions, the judicial branch, the legislative branch, and  
26 all other governmental units of the State requesting them. The

1 Department shall establish prices and charges for the  
2 information technology so furnished and for the use of the  
3 information technology. The prices and charges shall be  
4 sufficient to reimburse the cost of furnishing the services and  
5 use of information technology.

6 (e) The Department may establish standards to provide  
7 consistency in the operation and use of information technology.

8 (Source: 100HB5611eng, Sec. 1-30.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.