



Rep. Jaime M. Andrade, Jr.

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10000HB5093ham001

LRB100 20465 RJF 40064 a

1 AMENDMENT TO HOUSE BILL 5093

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5093 by replacing  
3 everything after the enacting clause with the following:

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

1 successor. When applicable, "client agency" may also include  
2 any other public agency to which the Department provides  
3 service to the extent specified in an interagency contract with  
4 the public agency ~~"Client agency" also includes each other~~  
5 ~~public agency to which the Department provides service.~~

6 "Dedicated unit" means the dedicated bureau, division,  
7 office, or other unit within a transferring agency that is  
8 responsible for the information technology functions of the  
9 transferring agency. For the Office of the Governor, "dedicated  
10 unit" means the Information Technology Office, also known as  
11 the Office of the Chief Information Officer. For the Department  
12 of Central Management Services, "dedicated unit" means the  
13 Bureau of Communications and Computer Services, also known as  
14 the Bureau of Information and Communication Services.

15 "Department" means the Department of Innovation and  
16 Technology.

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

1 "Information technology functions" means the development,  
2 procurement, installation, retention, maintenance, operation,  
3 possession, storage, and related functions of all information  
4 technology.

5 "Information Technology Office" means the Information  
6 Technology Office, also known as the Office of the Chief  
7 Information Officer, within the Office of the Governor, created  
8 by Executive Order 1999-05, or its successor.

9 "Legacy information technology division" means any  
10 division, bureau, or other unit of a transferring agency which  
11 has responsibility for information technology functions for  
12 the agency prior to the transfer of those functions to the  
13 Department, including, without limitation, the Bureau of  
14 Communications and Computer Services.

15 "Secretary" means the Secretary of Innovation and  
16 Technology.

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

19 "Transferring agency" means the Department on Aging; the  
20 Departments of Agriculture, Central Management Services,  
21 Children and Family Services, Commerce and Economic  
22 Opportunity, Corrections, Employment Security, Financial and  
23 Professional Regulation, Healthcare and Family Services, Human  
24 Rights, Human Services, Insurance, Juvenile Justice, Labor,  
25 Lottery, Military Affairs, Natural Resources, Public Health,  
26 Revenue, State Police, Transportation, and Veterans' Affairs;

1 the Capital Development Board; the Deaf and Hard of Hearing  
2 Commission; the Environmental Protection Agency; the  
3 Governor's Office of Management and Budget; the Guardianship  
4 and Advocacy Commission; the Historic Preservation Agency; the  
5 Illinois Arts Council; the Illinois Council on Developmental  
6 Disabilities; the Illinois Emergency Management Agency; the  
7 Illinois Gaming Board; the Illinois Health Information  
8 Exchange Authority; the Illinois Liquor Control Commission;  
9 ~~the Illinois Student Assistance Commission;~~ the Illinois  
10 Technology Office; the Office of the State Fire Marshal; and  
11 the Prisoner Review Board. "Transferring agency" does not  
12 include a State constitutional office, the Office of the  
13 Executive Inspector General, or any office of the legislative  
14 or judicial branches of State government.

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

16 (100HB5611eng, Sec. 1-30)

17 Sec. 1-30. Information technology.

18 (a) The Secretary shall be the Chief Information Officer  
19 for the State and the steward of State data with respect to  
20 those agencies under the jurisdiction of the Governor. It shall  
21 be the duty of the Department and the policy of the State of  
22 Illinois to manage or delegate the management of the  
23 procurement, retention, installation, maintenance, and  
24 operation of all information technology used by client  
25 agencies, so as to achieve maximum economy consistent with

1 development of appropriate and timely information in a form  
2 suitable for management analysis, in a manner that provides for  
3 adequate security protection and back-up facilities for that  
4 equipment, the establishment of bonding requirements, and a  
5 code of conduct for all information technology personnel to  
6 ensure the privacy of information technology information as  
7 provided by law.

8 (b) The Department shall be responsible for providing the  
9 Governor with timely, comprehensive, and meaningful  
10 information pertinent to the formulation and execution of  
11 fiscal policy. In performing this responsibility the  
12 Department shall have the power to do the following:

13 (1) Control the procurement, retention, installation,  
14 maintenance, and operation, as specified by the  
15 Department, of information technology equipment used by  
16 client agencies in such a manner as to achieve maximum  
17 economy and provide appropriate assistance in the  
18 development of information suitable for management  
19 analysis.

20 (2) Establish principles and standards of information  
21 technology-related reporting by client agencies and  
22 priorities for completion of research by those agencies in  
23 accordance with the requirements for management analysis  
24 specified by the Department.

25 (3) Establish charges for information technology and  
26 related services requested by client agencies and rendered

1 by the Department. The Department is likewise empowered to  
2 establish prices or charges for all information technology  
3 reports purchased by agencies and individuals not  
4 connected with State government.

5 (4) Instruct all client agencies to report regularly to  
6 the Department, in the manner the Department may prescribe,  
7 their usage of information technology, the cost incurred,  
8 the information produced, and the procedures followed in  
9 obtaining the information. All client agencies shall  
10 request from the Department assistance and consultation in  
11 securing any necessary information technology to support  
12 their requirements.

13 (5) Examine the accounts and information  
14 technology-related data of any organization, body, or  
15 agency receiving appropriations from the General Assembly,  
16 except for a State constitutional office, the Office of the  
17 Executive Inspector General, or any office of the  
18 legislative or judicial branches of State government. For a  
19 State constitutional office, the Office of the Executive  
20 Inspector General, or any office of the legislative or  
21 judicial branches of State government, the Department  
22 shall have the power to examine the accounts and  
23 information technology-related data of the State  
24 constitutional office, the Office of the Executive  
25 Inspector General, or any office of the legislative or  
26 judicial branches of State government when requested by

1        those offices ~~that office.~~

2            (6) Install and operate a modern information  
3        technology system utilizing equipment adequate to satisfy  
4        the requirements for analysis and review as specified by  
5        the Department. Expenditures for information technology  
6        and related services rendered shall be reimbursed by the  
7        recipients. The reimbursement shall be determined by the  
8        Department as amounts sufficient to reimburse the  
9        Technology Management Revolving Fund for expenditures  
10       incurred in rendering the services.

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

1 any needed amendments and modifications of any master plan  
2 enacted by the General Assembly.

3 (d) The Department may make information technology and the  
4 use of information technology available to units of local  
5 government, elected State officials, State educational  
6 institutions, the judicial branch, the legislative branch, and  
7 all other governmental units of the State requesting them. The  
8 Department shall establish prices and charges for the  
9 information technology so furnished and for the use of the  
10 information technology. The prices and charges shall be  
11 sufficient to reimburse the cost of furnishing the services and  
12 use of information technology.

13 (e) The Department may establish standards to provide  
14 consistency in the operation and use of information technology.  
15 (Source: 100HB5611eng, Sec. 1-30.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."