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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION

H. F. No. 3447

03/08/2018 Authored by Howe and Baker  
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act  
1.2 relating to state government; requiring certain information and telecommunications  
1.3 technology projects to be developed and completed by contract; requiring a  
1.4 legislative report before a project is deployed for live use; amending Minnesota  
1.5 Statutes 2016, sections 16E.01, subdivision 1a; 16E.0465; Minnesota Statutes  
1.6 2017 Supplement, section 16E.0466, subdivision 2.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2016, section 16E.01, subdivision 1a, is amended to read:

1.9 Subd. 1a. **Responsibilities.** (a) The office shall provide oversight, leadership, and  
1.10 direction for information and telecommunications technology policy and the management,  
1.11 delivery, accessibility, and security of information and telecommunications technology  
1.12 systems and services in Minnesota. The office shall manage strategic investments in  
1.13 information and telecommunications technology systems and services to encourage the  
1.14 development of a technically literate society, to ensure sufficient access to and efficient  
1.15 delivery of accessible government services, and to maximize benefits for the state government  
1.16 as an enterprise.

1.17 (b) In implementing the requirements of this chapter, the office must prioritize providing  
1.18 centralized information technology support services to state agencies, developing policies,  
1.19 standards, and strategic plans for the state's information technology systems and services,  
1.20 and overseeing the information architecture required by section 16E.04, subdivision 2.  
1.21 Developing, designing, or building specific information and telecommunications technology  
1.22 projects is not a mission of the office, unless money related to a specific project is  
1.23 appropriated for that express purpose.

2.1 Sec. 2. Minnesota Statutes 2016, section 16E.0465, is amended to read:

2.2 **16E.0465 TECHNOLOGY APPROVAL.**

2.3 Subdivision 1. **Application.** This section applies to an appropriation of ~~more than~~  
2.4 ~~\$1,000,000~~ of state or federal funds to a state agency for any information and  
2.5 telecommunications technology project or for any phase of such a project, device, or system.  
2.6 For purposes of this section, an appropriation of state or federal funds to a state agency  
2.7 includes an appropriation:

2.8 (1) to a constitutional officer;

2.9 (2) for a project that includes both a state agency and units of local government; and

2.10 (3) to a state agency for grants to be made to other entities.

2.11 Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation  
2.12 of more than \$1,000,000 for an information and telecommunications technology project  
2.13 subject to this section must divide the project into phases.

2.14 (b) The commissioner of management and budget may not authorize the encumbrance  
2.15 or expenditure of an appropriation of state funds to a state agency for any phase of a project,  
2.16 device, or system subject to this section unless the Office of MN.IT Services has reviewed  
2.17 each phase of the project, device, or system, and based on this review, the chief information  
2.18 officer has determined for each phase that:

2.19 (1) the project is compatible with the state information architecture and other policies  
2.20 and standards established by the chief information officer;

2.21 (2) the agency is able to accomplish the goals of the phase of the project with the funds  
2.22 appropriated; and

2.23 (3) the project supports the enterprise information technology strategy.

2.24 Subd. 4. **Projects of more than \$100,000 must be subject to contract.** A state agency  
2.25 receiving an appropriation of more than \$100,000 for an information and telecommunications  
2.26 technology project must enter into a contract with one or more vendors for the project's  
2.27 development and completion. The contract must be solicited, awarded, and executed  
2.28 according to the requirements of chapter 16C. Notwithstanding section 16C.08, subdivision  
2.29 2, a competitive proposal process must be used for professional and technical services related  
2.30 to a project subject to this subdivision, regardless of whether a current state agency employee  
2.31 is able and available to perform the services called for by the contract.

3.1 Sec. 3. Minnesota Statutes 2017 Supplement, section 16E.0466, subdivision 2, is amended  
3.2 to read:

3.3 Subd. 2. **Legislative report.** (a) No later than October 1, 2017, and annually thereafter,  
3.4 the state chief information officer must submit a comprehensive project portfolio report to  
3.5 the chairs and ranking minority members of the house of representatives and senate  
3.6 committees with jurisdiction over state government finance on projects requiring consultation  
3.7 under subdivision 1. The report must itemize:

3.8 (1) each project presented to the office for consultation in the time since the last report;

3.9 (2) the information technology cost associated with the project, including the information  
3.10 technology cost as a percentage of the project's complete budget;

3.11 (3) whether a solicitation was required under section 16E.0465, subdivision 4, and, if  
3.12 so, the status of the solicitation;

3.13 ~~(3)~~ (4) the status of the information technology components of the project's development;

3.14 ~~(4)~~ (5) the date the information technology components of the project are expected to  
3.15 be completed; and

3.16 ~~(5)~~ (6) the projected costs for ongoing support and maintenance of the information  
3.17 technology components after the project is complete; and

3.18 (7) the date the project is expected to be deployed for live use within the affected agency.

3.19 (b) No fewer than 30 days prior to a project being deployed for live use within an affected  
3.20 agency, the state chief information officer must submit a notice of the project's status and  
3.21 expected deployment date to the chairs and ranking minority members of the legislative  
3.22 committees with jurisdiction over any agency affected by the project.

3.23 Sec. 4. **EFFECTIVE DATE.**

3.24 Sections 1 to 3 are effective July 1, 2018, and apply to information and  
3.25 telecommunications projects for which an appropriation is provided on or after that date.