

HB 1491 -- Redline

As Passed the lower to Current version -- Cloud Center of Excellence; establish for phased-in cloud computing and storage by state agencies and governing authorities.

Deletions ~~struck~~ · Insertions underlined

Technology ~~COMMITTEE SUBSTITUTE FOR~~ HOUSE BILL NO.

1491 (As Sent to Governor) AN ACT TO ESTABLISH A CLOUD CENTER OF EXCELLENCE (CCOE) WITHIN THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES;

TO AUTHORIZE THE PHASED IMPLEMENTATION OF THE CCOE OVER A ~~FIVE-YEAR~~TWO-YEAR PERIOD;

TO ~~BRING ESTABLISH FORWARD THE SECTION~~TECHNOLOGY 25-53-21, INNOVATION ~~MISSISSIPPI FUND; CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENTS;~~

1491 ~~*HR26/R1980CS*~~*HR26/R1980SG* ~ OFFICIAL ~ G1/2 ~~25/HR26/R1980CS~~25/HR26/R1980SG PAGE 1 ~~(GT\KW)~~(DJ\KW) adoption and management across state agencies and governing authorities.

(c) ~~"MDITS"~~"ITS" or "department" means the Mississippi Department of Information Technology Services.

(1) There is established within the Mississippi Department of Information Technology Services ~~(MDITS)~~(ITS) a centralized Cloud Center of Excellence (CCOE) to facilitate cloud adoption across state agencies and governing authorities, enhance technological infrastructure, improve security and scalability, and streamline cloud migrations in a cost-effective and efficient manner.

(2) Using existing resources, ~~MDITS~~ITS may review the process for the coordinated development, hosting and management of computer software for state agencies that use cloud computing services.

1491 ~~*HR26/R1980CS*~~*HR26/R1980SG* ~ OFFICIAL ~ ~~25/HR26/R1980CS~~25/HR26/R1980SG PAGE ~~2~~2 ~~(GT\KW)~~(DJ\KW) (b) Provide guidance, best practices, and governance frameworks to state agencies and governing authorities for the adoption and use of cloud services;

(1) The Cloud Center of Excellence (CCOE) shall establish a ~~five-year~~two-year phased implementation ~~plan~~plan, as which follows: shall accomplish the following benchmarks by July 1, 2027:

(a) ~~By Conduct July 1, 2026, conduct~~ statewide readiness assessments and develop detailed cloud migration plans for pilot agencies;

(b) ~~By Initiate July 1, 2027, initiate~~ pilot migrations for selected state agencies, establish key performance indicators (KPIs) and refine processes based on feedback;

(c) ~~By Expand July 1, 2028, expand~~ cloud adoption to additional state agencies, focusing on optimizing resource utilization and ensuring adherence to best practices;

1491 ~~*HR26/R1980CS*~~*HR26/R1980SG* ~ OFFICIAL ~ ~~25/HR26/R1980CS~~25/HR26/R1980SG PAGE ~~3~~3 ~~(GT\KW)~~(DJ\KW) (d) ~~By Integrate July 1, 2029, begin integration of~~ governing authorities into the cloud ~~ecosystem, ecosystem providing and provide~~ support for local governments, postsecondary educational institutions and school districts;

and (e) ~~By Achieve July 1, 2030, achieve~~ full statewide adoption of cloud services, with ongoing monitoring, training, and optimization provided by the CCOE for all state agencies and governing authorities.

(2) During the ~~respective schedule of~~ implementation described in subsection (1), each state agency and governing authority integrated into the CCOE at that time shall consider:

(b) When making a purchase for an automated information system, a state agency or governing authority may determine that, due to integration limitations with legacy systems, security risks H.

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(c) At least fourteen (14) days before the date a state agency or governing authority solicits bids, proposals, offers or other applicable expressions of interest for a purchase described by paragraph (b) of this subsection, the state agency or governing authority shall submit a report that describes the purchase and the agency's reasoning for making the purchase of an automated information system to the Mississippi Department of Information Technology Services ~~(MDITS)~~(ITS).

H-SECTION 5.

(1) Not later than November 15 of each even-numbered year, ITS, using existing resources, shall submit a report to the Governor, Lieutenant Governor and Speaker, the H.

1491 ~~*HR26/R1980CS*~~*HR26/R1980SG* ~ OFFICIAL ~ ~~25/HR26/R1980CS~~25/HR26/R1980SG PAGE ~~5~~5 ~~(GT\KW)~~(DJ\KW) SECTION Chairpersons 5- of the House and Senate Committees on Technology and of the House State Affairs Committee on the use of cloud computing service options by state agencies and governing authorities, detailing the progress of the implementation plan, challenges encountered, and recommendations for improvement.

~~(1) Not later than November 15 of each even-numbered year, MDITS, using existing resources, shall submit a report to the Governor, Lieutenant Governor and Speaker, the Chairpersons of the House and Senate Committees on Technology and of the House State Affairs Committee on the use of cloud computing service options by state agencies and governing authorities, detailing the progress of the implementation plan, challenges encountered, and recommendations for improvement.~~

All state agencies and governing authorities shall cooperate with ~~MDITS~~ITS in the creation of the report by providing timely and accurate information and any assistance required by the department.

(2) For the purposes of this chapter the following terms shall have the meanings ascribed in this section unless the context otherwise requires:

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~~(2)(a) For "Central the Data purposes Processing Authority" and "CDPA" mean "Mississippi Department of this Information chapter Technology Services * * * (ITS)" and the following term terms "authority" shall means have "board of the meanings* ascribed* in* this ITS." section (b) unless "Bureau of Systems Policy and Planning," "Bureau of Telecommunications," "Bureau of Central Data Processing" and "bureau" mean " * * * ITS." * * * (* * * c) "Acquisition" of * * * information technology means the context purchase, otherwise lease, requires rental, or acquisition in any other manner of any such * * * information technology.~~

~~(a)("Central* Data* Processing*d) Authority" "Agency" and means "CDPA" mean "Mississippi Department of Information Technology Services (MDITS)" and the includes term all "authority" means "board of the MDITS." various (b) state "Bureau agencies, of officers, Systems departments, Policy boards, and commissions, Planning," offices "Bureau of Telecommunications," "Bureau of Central Data Processing" and "bureau" institutions mean "Mississippi Department of Information the Technology state. Services." (c) "Computer equipment or services" means any information technology, computer or computer related telecommunications equipment, electronic word processing and office systems, or services utilized in connection therewith, including, but not limited to, all phases of computer software and consulting services, and insurance on all state-owned computer equipment.~~

~~(d)("Acquisition"* * * e) "Governing authority" means boards of computer supervisors, or governing telecommunications boards equipment of or all services school means districts, the all purchase, boards lease, of rental, directors or of acquisition public in water any supply other districts, manner boards of directors of master public water supply districts, municipal public utility commissions, governing authorities of all municipalities, port authorities, commissioners and boards of trustees of any such public computer hospitals and any * * * governing authority of the state supported wholly or telecommunications in equipment part by public funds of the state or services.* * * governing authority thereof.~~

~~(e)("Agency"* means* and*f) includes "Bid" all means any of the various valid states source agencies, selection officers, techniques departments, and boards, competitive commissions, procurement offices methods and appropriate institutions to of information technology procurement in the state public sector, H.~~

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~~(f) including, "Governing but authority" not means limited boards to, of competitive supervisors, sealed governing bidding, boards competitive of sealed all proposals, schools simplified districts, small all purchase boards procedures, of sole directors source of procurements, public water supply districts, boards of directors of master public water supply districts, municipal public utility commissions, governing authorities of all municipalities, port authorities, commissioners and boards emergency of procurements. trustees of any public hospitals and any * * * governing authority of the state supported wholly or in part by public funds of the state or * * * governing authority thereof.~~

~~(g)("Bid"* means* any*g) of "Telecommunications the transmission valid facility" source means selection any technique transmission and medium, competitive switch, procurement instrument, methods inside appropriate wiring to system information or technology other procurement facility in which the is public used, sector, in including, whole but or not part, limited to to, provide competitive any sealed transmission. bidding, competitive sealed proposals, simplified small purchase procedures, sole source procurements, and emergency procurements.~~

~~(h)("Telecommunications* transmission* facility"*h) "Equipment support contract" means any a transmission contract medium, which switch, covers instrument, a inside single, wirings specific system class or other classes facility of telecommunications equipment or service and all features associated with that class, through which is state used, agencies in may whole purchase or part, lease to the provide item any of transmission, equipment or service specified by issuing a purchase order under the terms of the contract without the necessity of further competitive bidding.~~

~~(i)("Equipment* support* contract"*i) means "Inside a wiring contract system" which means covers any a wiring single, which: specific class or classes of telecommunications equipment or service and all features associated with that class, through which state agencies may purchase or lease the item of equipment or service specified by issuing a purchase order under H.~~

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~~1491 *HR26/R1980CS* ~ OFFICIAL ~ 25/HR26/R1980CS PAGE 8(GT\KW) the terms of the contract without the necessity of further competitive bidding.~~

~~(j) "Inside wiring system" means any wiring which:~~

~~(k)(* * *j) "Procurement" means the selling, buying, purchasing, renting, leasing or otherwise obtaining telecommunications* equipment,* system* or information related technology services, as well as activities engaged in, resulting inH. or expected to result in selling, buying, purchasing, renting, leasing or otherwise obtaining telecommunications equipment.~~

~~(l)B. "Telecommunications equipment, systems, related services" are limited to the equipment and means to provide:~~

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1491 *HR26/R1980SG* ~ OFFICIAL ~ 25/HR26/R1980SG PAGE 8(DJ\KW) in or expected to result in selling, buying, purchasing, renting, leasing or otherwise obtaining * * * information technology.

(* * *k) "Telecommunications equipment, systems, related services" are limited to the equipment and means to provide:

H-(viii) Personal communications networks and services.

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~~1491 *HR26/R1980CS* ~ OFFICIAL ~ 25/HR26/R1980CS PAGE 9(GT\KW) (viii) Personal communications networks and services.~~

~~(m)(* * *l) "Telecommunications system lease contract" means a contract between a supplier of telecommunications systems, including equipment and related services, and the Mississippi Department of Information Technology Services through* which* telecommunications* systems, including equipment and related services, may be leased for a term which shall not exceed sixty (60) months for a system lease valued less than One Million Dollars (\$1,000,000.00) and shall not exceed one hundred twenty (120) months for a system lease valued One Million Dollars (\$1,000,000.00) or more.~~

~~(n)(* * *m) "Tariffed or regulated service" means telecommunications service offered by common carriers and subject toH. control by the Mississippi Public Service Commission or the Federal Communications Commission.~~

~~(o) "State Data Center" means one or more facilities operated by the Mississippi Department of Information Technology Services to provide information technology resources requiring enterprise computing resources or any other centrally managed information resources.~~

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1491 *HR26/R1980CS*~HR26/R1980SG* ~ OFFICIAL ~ 25/HR26/R1980CS25/HR26/R1980SG PAGE 10(GT\KW)9(DJ\KW) SECTIONto 8-control by the Mississippi Public Service Commission or the Federal Communications Commission.

Section(25-53-21,* Mississippi* Code*n) of"State 1972,Data isCenter" broughtmeans forwardone asor follows:more facilities operated by * * * ITS to provide information technology resources requiring enterprise computing resources or any other * * * ITS managed information resources.

25-53-21.(o) "Information technology" means any technology as defined by ITS, including, but not limited to, computer and/or telecommunications equipment, systems or related services.

TheSECTION executive8. director shall have the following duties, responsibilities and authority:

(a)(1) HeThe shallpurpose conductof continuingthis studiesact ofis allto informationestablish technologya activitiesTechnology carriedInnovation outFund, byhereafter allreferred agenciesto ofas "Fund," to facilitate the statedevelopment and shalldeployment developof ainnovative long-rangetechnological plansolutions forthat enhance the efficientefficiency, transparency and economicalresponsiveness performance of suchgovernment activitiesesservices. in state government.

SuchThe planfund shallis beintended submitted to thesupport authoritycollaborative forefforts itsbetween approvalgovernment and,agencies, havingeducational beeninstitutions, approvedprivate bysector thepartners authority,and shallnonprofit beorganizations implementedin by the executiveimplementation directorof anddigital allsolutions statethat agencies,drive public sector modernization.

Such(2) plan(a) shallThere beis continuouslyhereby reviewedestablished andthe modificationsTechnology thereofInnovation Fund, which shall be proposedadministered to the authority by the executiveMississippi directorDepartment asof developmentsInformation inTechnology informationServices technology(ITS) techniquesunder andthe changesauthority inof the structure,Chief activities,Information andOfficer functions(CIO) of state the governmentState mayof require Mississippi.

(b) HeThe fund shall reviewprovide thefinancial purchasingsupport practicesfor ofprojects allthat stateutilize agencies in the area of the purchasing of supplies for information technology and make recommendations to theaddress authoritycritical andneeds, toH. the Public Procurement Review Board for the institution of purchasing procedures which will ensure the most economical procurement of such

~~supplies commensurate with the efficient operation of all departments and agencies of state government.~~
(c) ~~He shall see that all reports required of all agencies are promptly and accurately made in accordance with the H.~~

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~~rules improve service delivery, and regulations foster adopted collaboration by between the public authority, and private entities.~~

~~Either (3) in The person objectives or through his authorized agents, he shall make such inspections of information technology operations being conducted by any of the agencies fund of shall the include, state but as are may not be limited necessary to, for the performance following: of his duties.~~

~~(d)(a) He Promote shall suggest and cause to be brought about cooperation between the several development state of agencies digital insolutions order that to improve provide government efficiency service in delivery information and technology operational operation efficiency;~~

~~He (b) shall, Foster together cross-agency with the heads of the agencies involved, reduce to writing and execute intergovernmental cooperative collaboration plans for the acquisition and operation of information technology equipment, and any such plan so adopted shall be carried out in accordance with the provisions adoption of such shared plan technologies unless the same shall be amended by the joint action of the executive director and the best heads practices; of agencies involved.~~

~~The (c) executive Encourage director public-private shall partnerships report in to the authority development the details of any plan so adopted and all deployment amendments or modifications thereof, and shall otherwise report to the authority and to the Public Procurement Review Board any failure on the part of any innovative agency technologies; to carry out the provisions of such plan.~~

~~In (d) the Facilitate event research, the prototyping, head of any agency involved or the executive director shall propose amendments to a plan so adopted and such piloting amendment is disapproved by the head of another emerging agency technologies involved such as the artificial executive intelligence, director, blockchain, and data appeal analytics, may and be cloud taken computing; to the authority which may, after full consideration thereof, order the adoption of the proposed amendment or any modification thereof.~~

~~The (e) executive Ensure director equitable H. access to technological innovations that can benefit underserved communities and regions;~~

~~and (f) Enhance cybersecurity and protect the integrity of state digital infrastructure.~~

~~(4) (a) The following entities shall be eligible to apply for funding under this act:~~

~~(i) State and local government agencies;~~

~~(ii) Public and private educational institutions;~~

~~(iii) Nonprofit organizations engaged in technology-driven public service initiatives;~~

~~and H.~~

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~~shall (iv) make Private decisions sector on entities, all in questions partnership of with the public division sector of the cost of information technology operations among the several agencies, but for his collaborative findings projects. shall be subject to the approval or modification by the authority on appeal to it.~~

~~(e)(b) He Applications shall review all contracts for acquisition funding of must computer demonstrate and/or how telecommunications the equipment proposed or project services will now contribute or to hereafter in force and may require the renegotiation, digital termination, transformation amendment or execution of any government such services contracts in proper form and in the accordance achievement with of the policies objectives and outlined rules in and Section regulations 3 and subject to the direction of the this authority act.~~

~~In (5) the (a) negotiation The and CIO execution of such contracts, the executive Mississippi director Department may of negotiate Information a Technology limitation Services on shall the establish liability criteria to for the state evaluation of prospective proposals contractors provided such limitation affords the state reasonable protection and the limitation allocation is of approved funds, by prioritizing the projects state that: entity for whom the acquisition is being made.~~

~~(f)(i) He Provide shall measurable act benefits as to the purchasing public and contracting improve agent government for operations; the State of Mississippi in the negotiation and execution of all contracts for the acquisition of computer equipment or services.~~

~~He (ii) shall Demonstrate receive, potential review, and promptly approve or disapprove all requests of agencies of the state for the scalability acquisition of computer equipment or services, which are submitted in accordance with rules and regulations sustainability; of the authority.~~

~~In (iii) the Foster event partnerships that across any government, such private, request is disapproved, he shall immediately notify the requesting agency and the nonprofit members sectors; of the authority in writing of such disapproval, stating his reasons H.~~

~~and (iv) Address urgent challenges in service delivery, efficiency, and cybersecurity.~~

(b) The fund may allocate grants, matching funds, or loans to eligible projects, as deemed appropriate by the CIO.

(6) (a) Each recipient of funding from the Technology Innovation Fund shall be required to provide periodic reports to the CIO detailing the progress, outcomes, and financial expenditures associated with the funded project.

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~~therefor.~~(b) The CIO shall submit an annual report to the Governor and Legislature detailing the use of the Technology Innovation Fund, including descriptions of funded projects, their outcomes, and recommendations for future innovations.

~~(7) (a) The disapproval of a fund shall not be request initially by a capitalized the with executive an director appropriation of the monies authority from may be appealed to the authority General or Fund, to with the additional Public funding Procurement Review Board, respectively, in such manner as may be authorized by such reasonable rules and regulations hereby authorized to be adopted secured by from: the authority and by the Public Procurement Review Board to govern the same.~~

~~The (i) executive Public-private director partnerships; shall report the approval of all such requests to the authority in such manner as may be directed by the authority, and shall execute any such contracts only after complying with rules and regulations which may be adopted by the authority in relation thereto.~~

~~Any (ii) contracts Federal for grants personal or professional matching services programs; entered into by the executive director shall be exempted from the requirements of Section 25-9-120(3) relating to submission of such contract to the State Personal Service Contract Review Board.~~

~~(g) (iii) He Revenues shall from suggest technological and licensing cause to be brought about cooperation between the several state agencies, departments and institutions in order that work may be done by one agency for another agency, and equipment in one agency may be made available to another agency, and suggest and cause to be brought about such improvements as may be necessary in joint or cooperative commercialization information resulting technology from operations funded projects;~~

~~(h) and He (iv) shall Donations be or designated contributions as from the private "Chief for Information philanthropic Confidentiality organizations. Officer" after being duly sworn to the oath of this office by the chairman of the authority and shall be H.~~

~~B.~~(b) The fund may also establish a revolving loan mechanism to replenish available resources through repayments from successful projects.

~~No.~~(8) The CIO of the Mississippi Department of Information Technology Services (ITS) is authorized to promulgate any rules and regulations necessary for the implementation and administration of this act.

1491 ~~*HR26/R1980CS*~~ ~ OFFICIAL ~ ~~25/HR26/R1980CS~~ PAGE 14(GT\KW) responsible for administering the oath to other qualified officers he may designate.

~~(i) He shall appoint employees of the Mississippi Department of Information Technology Services, or at his discretion, employees of other state agencies and institutions that are responsible for handling or processing data for any agency or institution other than that for which they are employed, to a position of information custodial care that shall be known as "Information Confidentiality Officer." The selection and swearing of all officers shall be reported to the authority at the next regular meeting and names, affirmation dates and employment dates shall be recorded in the permanent minutes of the authority.~~

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establish for PAGE ~~15(GT\KW)~~13(DJ\KW) phased-in cloud computing and storage by state agencies and governing authorities.