

HOUSE BILL 346

S1, S2, P5

2lr0416

By: **Delegate Novotny**

Introduced and read first time: January 19, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Information Technology – Oversight of Legislative Branch**
3 **Information Technology**

4 FOR the purpose of applying certain provisions related to the oversight of information
5 technology, information technology projects, information technology accessibility,
6 and cybersecurity by the Secretary of Information Technology to the Legislative
7 Branch of State government; and generally relating to information technology and
8 the Legislative Branch of State government.

9 BY repealing and reenacting, without amendments,
10 Article – State Finance and Procurement
11 Section 3A–301(a), 3A–305(a), 3A–306, and 3A–307(a)(1)
12 Annotated Code of Maryland
13 (2021 Replacement Volume)

14 BY adding to
15 Article – State Finance and Procurement
16 Section 3A–301(m)
17 Annotated Code of Maryland
18 (2021 Replacement Volume)

19 BY repealing and reenacting, with amendments,
20 Article – State Finance and Procurement
21 Section 3A–302 and 3A–303(a)
22 Annotated Code of Maryland
23 (2021 Replacement Volume)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
25 That the Laws of Maryland read as follows:

26 **Article – State Finance and Procurement**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 3A-301.

2 (a) In this subtitle the following words have the meanings indicated.

3 (M) **“UNIT OF STATE GOVERNMENT” INCLUDES, UNLESS OTHERWISE**
4 **SPECIFIED, AN AGENCY OR A UNIT OF THE LEGISLATIVE BRANCH OF STATE**
5 **GOVERNMENT.**

6 3A-302.

7 (a) This subtitle does not apply to changes relating to or the purchase, lease, or
8 rental of information technology by:

9 (1) public institutions of higher education solely for academic or research
10 purposes;

11 (2) the Maryland Port Administration;

12 (3) the University System of Maryland;

13 (4) St. Mary’s College of Maryland;

14 (5) Morgan State University;

15 (6) the Maryland Stadium Authority; or

16 (7) Baltimore City Community College.

17 (b) Except as provided in subsection (a) of this section, this subtitle applies to any
18 project of a unit of the Executive Branch **OR THE LEGISLATIVE BRANCH** of State
19 government that involves an agreement with a public institution of higher education for a
20 portion of the development of the project, whether the work on the development is done
21 directly or indirectly by the public institution of higher education.

22 (c) Notwithstanding any other provision of law, except as provided in subsection
23 (a) of this section and §§ 3A-307(a)(2), 3A-308, and 3A-309 of this subtitle, this subtitle
24 applies to all units of the Executive **[Branch] AND LEGISLATIVE BRANCHES** of State
25 government including public institutions of higher education other than Morgan State
26 University, the University System of Maryland, St. Mary’s College of Maryland, and
27 Baltimore City Community College.

28 3A-303.

29 (a) The Secretary is responsible for carrying out the following duties:

1 (1) developing, maintaining, revising, and enforcing information
2 technology policies, procedures, and standards;

3 (2) providing technical assistance, advice, and recommendations to the
4 Governor and any unit of State government concerning information technology matters;

5 (3) reviewing the annual project plan for each unit of State government to
6 make information and services available to the public over the Internet;

7 (4) developing and maintaining a statewide information technology master
8 plan that will:

9 (i) be the basis for the management and direction of information
10 technology within the Executive [Branch] **AND LEGISLATIVE BRANCHES** of State
11 government;

12 (ii) include all aspects of State information technology including
13 telecommunications, security, data processing, and information management;

14 (iii) consider interstate transfers as a result of federal legislation and
15 regulation;

16 (iv) work jointly with the Secretary of Budget and Management to
17 ensure that information technology plans and budgets are consistent;

18 (v) ensure that State information technology plans, policies, and
19 standards are consistent with State goals, objectives, and resources, and represent a
20 long-range vision for using information technology to improve the overall effectiveness of
21 State government; and

22 (vi) include standards to assure nonvisual access to the information
23 and services made available to the public over the Internet;

24 (5) adopting by regulation and enforcing nonvisual access standards to be
25 used in the procurement of information technology services by or on behalf of units of State
26 government in accordance with subsection (b) of this section;

27 (6) in consultation with the Attorney General, advising and overseeing a
28 consistent cybersecurity strategy for units of State government, including institutions
29 under the control of the governing boards of the public institutions of higher education;

30 (7) advising and consulting with the [Legislative and] Judicial [branches]
31 **BRANCH** of State government regarding a cybersecurity strategy; and

32 (8) in consultation with the Attorney General, developing guidance on
33 consistent cybersecurity strategies for counties, municipal corporations, school systems,
34 and all other political subdivisions of the State.

1 3A-305.

2 (a) Except as provided in subsection (b) of this section, in accordance with
3 guidelines established by the Secretary, each unit of State government shall develop and
4 submit to the Secretary:

5 (1) information technology policies and standards;

6 (2) an information technology plan; and

7 (3) an annual project plan outlining the status of efforts to make
8 information and services available to the public over the Internet.

9 3A-306.

10 Information technology of each unit of State government shall be consistent with the
11 master plan.

12 3A-307.

13 (a) (1) A unit of State government may not purchase, lease, or rent information
14 technology unless consistent with the master plan.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2022.