

KANSAS OFFICE of
REVISOR of STATUTES

LEGISLATURE of THE STATE of KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairman Barker
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: January 17, 2018

Subject: HB 2438 – Vendor contract restrictions for IT projects

House Bill No. 2438 (HB 2438) amends K.S.A. 75-7209, which governs state information technology projects. Under current law when a state agency proposes to carry out an information technology project (IT project) the agency must submit a project budget estimate to the chief information technology officer (CITO) for the agency's branch of government. A part of the project budget estimate is the project plan which includes: (1) a detailed description and justification for the IT project; (2) a description of the tasks and schedule for the IT project; (3) a financial plan; and (4) a cost-benefit statement. The project plan must be approved by the head of the agency and the CITO for that branch of government. All specifications for the IT project must be reviewed by the CITO.

HB 2438 would prohibit the state agency from contracting with a vendor for implementation of the IT project if that vendor prepared or assisted in the preparation of the IT project plan or any other project plan documents prior to the CITO's approval of the IT project. This prohibition only applies to IT projects with an estimated cumulative cost of \$5,000,000 or more. The prohibition may also be waived if the state agency obtains the CITO's written permission.

If enacted, HB 2438 would become effective on July 1, 2018.