

**HOUSE BILL No. 2359**

By Committee on Government, Technology and Security

2-10

1 AN ACT concerning information systems and communications; creating  
2 the Kansas information technology enterprise; relating to consolidation  
3 and transfer of executive branch information technology staff,  
4 resources, functions and powers; amending K.S.A. 2016 Supp. 12-  
5 5364, 74-9302, 74-9304, 74-9306, 74-99f04, 74-99f06, 74-99f08, 75-  
6 3707e, 75-4701, 75-4702c, 75-4703, 75-4704, 75-4704a, 75-4704b, 75-  
7 4705, 75-4709, 75-4710, 75-4718, 75-4719, 75-6512, 75-7201, 75-  
8 7202, 75-7204, 75-7205 and 75-7224 and repealing the existing  
9 sections.

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*Be it enacted by the Legislature of the State of Kansas:*

11 New Section 1. On the effective date of this act, the name of the  
12 office of information technology services is hereby changed to the Kansas  
13 information technology enterprise. All properties, moneys, appropriations,  
14 rights and authorities now vested in the office of information technology  
15 services shall be vested in the Kansas information technology enterprise.  
16 Whenever the title of the office of information technology services, or  
17 words of like effect, is referred to or designated by any statute, contract or  
18 other document, such reference or designation shall be deemed to apply to  
19 the Kansas information technology enterprise.  
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21 New Sec. 2. (a) On and after the effective date of this act, all  
22 executive branch agencies shall be required to receive approval from the  
23 executive chief information technology officer for all expenditures for  
24 information technology by the agency. The head of each executive branch  
25 agency shall provide information to and cooperate with the executive chief  
26 information technology officer for the purpose of implementing and  
27 administering this section.

28 (b) On and after the effective date of this act, all executive branch  
29 officers and employees whose duties or functions for executive branch  
30 agencies concern information technology shall report directly to the  
31 executive chief information technology officer.

32 New Sec. 3. (a) There is hereby created in the state treasury the  
33 Kansas information technology enterprise fund. All amounts received  
34 under this section shall be remitted to the state treasurer in accordance  
35 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
36 receipt of each such remittance, the state treasurer shall deposit the entire

1 amount into the state treasury to the credit of the Kansas information  
2 technology enterprise fund, which shall be administered by the executive  
3 chief information technology officer.

4 (b) (1) All payments and expenditures from the Kansas information  
5 technology enterprise fund shall be made in accordance with appropriation  
6 acts upon warrants of the director of accounts and reports issued pursuant  
7 to vouchers approved by the executive chief information technology  
8 officer or the officer's designee.

9 (2) Moneys in the Kansas information technology enterprise  
10 fund may be used to meet statewide information technology requirements,  
11 including, but not limited to: Project management, security, electronic  
12 mail, Kansas information technology enterprise expenses and any other  
13 information technology operations.

14 (c) The executive chief information officer shall compute the  
15 reasonably anticipated itemized costs of providing information technology  
16 services to executive branch agencies. The executive branch agency that is  
17 receiving the information technology services shall reimburse the Kansas  
18 information technology enterprise for such costs. Any such reimbursement  
19 collected by the Kansas information technology enterprise shall be  
20 credited to the Kansas information technology enterprise fund. Annually,  
21 on or before August 1, the executive chief information officer shall report  
22 to the joint committee on information technology the reasonably  
23 anticipated itemized costs of providing information technology services to  
24 executive branch agencies.

(d) Nothing in this act shall be construed to impair any existing contracts, leases or agreements.

25 New Sec. 4. (a) The Kansas information technology enterprise shall  
26 coordinate with the Kansas division of budget to develop and implement a  
27 plan to manage all information technology funding. Executive branch  
28 agencies shall cooperate with the executive chief information technology  
29 officer and the division of budget to identify information technology  
30 expenses, contracts, projects, resources and payment sources.

31 (b) Except as otherwise provided in sections 1 through 4, and  
32 amendments thereto, on July 1, 2018, officers and employees who,  
33 immediately prior to such date, were engaged in the performance of  
34 powers, duties or functions for executive branch agencies concerning  
35 information technology, which are transferred by this act, or who become a  
36 part of the Kansas information technology enterprise, or the powers, duties  
37 and functions which are transferred to the Kansas information technology  
38 enterprise, and who, in the opinion of the executive chief information  
39 technology officer, are necessary to perform the powers, duties and  
40 functions of the Kansas information technology enterprise, shall be  
41 transferred to, and shall become officers and employees of the Kansas  
42 information technology enterprise. Any such officer or employee shall  
43 retain all retirement benefits and all rights of civil service that had accrued