_____ BILL NO. _____

INTRODUCED BY _____

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: “AN ACT REVISING THE DEPARTMENT OF ADMINISTRATION'S RULEMAKING AUTHORITY FOR INFORMATION TECHNOLOGY; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 2-17-518, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-17-518, MCA, is amended to read:

"**2-17-518. Rulemaking authority.** (1) The department ~~shall~~ may adopt rules to implement this part.~~,~~ ~~including the following:~~

~~(a) rules to guide the review and approval process for state agency software and management systems that provide similar functions for multiple state agencies, which must include but are not limited to:~~

~~(i) identifying the software and management systems that must be approved;~~

~~(ii) establishing the information that state agencies are required to provide to the department; and~~

~~(iii) establishing guidelines for the department's approval decision;~~

~~(b) rules to guide the review and approval process for state agency acquisition of information technology resources, which must include but are not limited to processes and requirements for:~~

~~(i) agency submissions to gain approval for acquiring information technology resources;~~

~~(ii) approving specifications for information technology resources; and~~

~~(iii) approving contracts for information technology resources; and~~

~~(c) rules for granting exceptions from the requirements of this part, which must include but are not limited to:~~

~~(i) a process for applying for an exception; and~~

~~(ii) guidelines for determining the department's approval decision.~~

~~(2) The department may adopt rules to guide the development of state agency information~~

~~technology plans. The rules may include:~~

~~(a) agency plan review procedures;~~

~~(b) agency plan content requirements;~~

~~(c) guidelines for the department's approval decision; and~~

~~(d) dispute resolution processes and procedures.~~

~~(3)~~ (2) Adequate rules for the use of any information technology resources must be adopted by the supreme court for judicial branch agencies.

~~(4)~~ (3) The legislative council shall adopt enterprise principles and technical standards within an enterprise architecture program as a part of the legislative branch information technology plan, as provided for in 5-11-405, that will fulfill the intent of adequate rules for use of information technology resources for the consolidated legislative branch, as provided for in 5-2-504."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

- END -