

HOUSE BILL NO. 367

INTRODUCED BY B. MERCER, D. BEDEY, L. JONES, B. KEENAN, J. ESP, S. FITZPATRICK, D. SALOMON

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ADDITIONAL RESTRICTIONS FOR APPROPRIATIONS FOR THE OFFICE OF PUBLIC INSTRUCTION DATABASE MODERNIZATION; AMENDING SECTION 22(2)(E), CHAPTER 401, LAWS OF 2021, AND SECTION 5(2)(G), CHAPTER 551, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 22(2)(e), Chapter 401, Laws of 2021, is amended to read:

"Section 26. Appropriations to office of public instruction and office of budget and program planning.

(e) For OPI Database Modernization, funds must be used by the office of public instruction to repair, improve, or replace existing data systems to respond to learning loss associated with the pandemic.

Actions taken must be consistent with 20-7-104 and must:

- (i) facilitate school district use of data to drive individual student outcomes;
(ii) facilitate secure data sharing between school districts and the office of public instruction;
(iii) facilitate secure sharing of data between state agencies using the platform implemented by the department of administration, including the sharing of data with, but not limited to, the office of public instruction, the Montana university system, the office of the commissioner of higher education, and the department of labor and industry;
(iv) allow and require review and approval of specifications and procurement methods by the department of administration;
(v) allow and require final contract review and approval by the department of administration, including contract amendments and other changes in scope or cost;
(vi) fit seamlessly into the department of administration's information technology infrastructure;
(vii) consist of off-the-shelf solutions or platform-as-a-service models, or both, with a proven track

1 record; and
2 (viii) include a well-defined maintenance agreement."

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4 **Section 2.** Section 5(2)(g), Chapter 551, Laws of 2021, is amended to read:

5 **"Section 5. Appropriations -- authorization to spend federal money.**

6 (g) For OPI Database Modernization, funds must be used by the office of public instruction to
7 repair, improve, or replace existing data systems to respond to learning loss associated with the pandemic.

8 Actions taken must be consistent with the provisions of 20-7-104 and must:

9 (i) facilitate school district use of data to drive individual student outcomes;

10 (ii) facilitate secure data sharing between school districts and the office of public instruction;

11 (iii) facilitate secure sharing of data between state agencies using the platform implemented by the
12 department of administration, including the sharing of data with, but not limited to, the office of public
13 instruction, the Montana university system, the office of the commissioner of higher education, and the
14 department of labor and industry;

15 (iv) allow and require review and approval of specifications and procurement methods by the
16 department of administration;

17 (v) allow and require final contract review and approval by the department of administration,
18 including contract amendments and other changes in scope or cost;

19 (vi) fit seamlessly into the department of administration's information technology infrastructure;

20 (vii) consist of off-the-shelf solutions or platform-as-a-service models, or both, with a proven track

21 record; and

22 (viii) include a well-defined maintenance agreement."

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24 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

25 - END -