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M E M O R A N D U M

November 12, 2014

TO: Members of the Joint Technology Committee
FROM: Jessika Shipley, Principal Analyst, 303-866-3528
SUBJECT: Charge of the Joint Technology Committee

Summary

This memorandum provides information about the charge of the Joint Technology Committee, as established by House Bill 13-1079 and amended by House Bill 14-1395. It discusses the formation, membership, and meetings of the committee, the powers and duties of the committee, staff assistance, and the interaction between the committee and other state agencies.

Establishment and Procedural Matters

Membership. Pursuant to section 2-3-1702, C.R.S., the Joint Technology Committee (JTC) is established, consisting of the following, who should have experience in the areas of information technology (IT), business analysis, or business process:

- three members of the House of Representatives, two of whom are appointed by the Speaker of the House and one of whom is appointed by the House Minority Leader; and
- three members of the Senate, two of whom are appointed by the Senate President and one of whom is appointed by the Senate Minority Leader.

"Information technology" is defined as information technology and computer-based equipment and related services designed for the storage, manipulation, and retrieval of data by electronic or mechanical means, or both. The term includes, but is not limited to:

- central processing units, servers for all functions, and equipment and systems supporting communications networks;
- all related services, including feasibility studies, systems design, software development, system testing, external off-site storage, and network services, whether provided by state employees or others;

- the systems, programs, routines, and processes used to employ and control the capabilities of data processing hardware, including operating systems, compilers, assemblers, utilities, library routines, maintenance routines, applications, application testing capabilities, storage system software, hand-held device operating systems, and computer networking programs; and
- the application of electronic information processing hardware, software, or telecommunications to support state government business processes.

It does not mean post-implementation support, hardware life-cycle replacement, or routine maintenance, unless such replacement or maintenance is part of a larger computer system upgrade.

Appointees to the JTC may be designated after the general election, but prior to the convening of the General Assembly. The appointees may be current members or members-elect. Prior to being sworn in, members-elect are to have the same powers and duties and be entitled to the same compensation and expense allowance as current members.

Chair and vice chair. The committee is required to elect a chair and vice chair, one from the House and one from the Senate. The chair and vice chair serve in those roles for the first regular session of the General Assembly after they are so elected and switch roles for the second session.

Organization, procedures, and meetings. The committee is permitted to develop its own procedural rules. The JTC may meet as often as necessary to perform its functions, but it is required to meet at least once a year to review the Governor's budget submissions related to IT.

Repeal. The committee is repealed effective July 1, 2018.

Powers and Duties

Oversight. The committee has oversight responsibility for the Governor's Office of Information Technology (OIT). "Oversee" is defined as reviews of significant IT projects, reviews of the OIT's budget requests for IT projects, and ensuring that IT projects follow best practice standards as established by the OIT. Such oversight includes, but is not limited to:

- a review of the state of IT;
- any general IT needs;
- any anticipated short- or long-term IT changes for IT;
- OIT's responsibilities related to the statewide communications and information infrastructure;¹ and
- OIT's responsibilities for statewide geographic information system coordination.²

Oversight does not include interference with the general responsibilities of the OIT. State law directs OIT to assist the JTC as necessary to facilitate the committee's oversight of OIT. This includes a number of advisory duties and reporting requirements. Specifically, the JTC should receive regular reports from OIT concerning the following:

¹Section 24-37.5-108, C.R.S.

²Section 24-37.5-111, C.R.S.

- collaboration, office productivity, and e-mail (COPE) services initiated in a state agency;
- any emergency acquisition or purchase of IT resources made in the preceding fiscal year;
- an accurate account of all activities related to the Public Safety Communications Trust Fund;
- annual updates to the statewide information technology plan; and
- the Colorado Benefits Management System (CBMS) improvement and modernization project on a quarterly basis.³

Other JTC oversight responsibilities include:

- the state's Chief Information Security Officer and his or her duties;⁴
- any telecommunications coordination in the state performed by the state's Chief Information Officer;⁵
- the General Government Computer Center; and
- state agencies regarding:
 - any IT purchased or implemented that is not managed or approved through OIT;
 - any IT that a state agency purchased or implemented that does not follow the standards set by OIT; and
 - any IT that a state agency purchased or implemented that has the same function as IT already created, purchased, or implemented by OIT.

IT budget requests. An "IT budget request" means a budget request from a state agency or state institution of higher education for the installation, development, or upgrade of IT, including the purchase of services from OIT. It does not include budget requests that are primarily operational in nature or where the majority of funding will be used to support or modify state staffing levels.

Each fiscal year, the JTC is required to study and prioritize all IT budget requests made by state agencies and all state-funded IT budget requests made by state institutions of higher education. After hearing from state agencies, institutions of higher learning, OIT, and other sources of information about the amount of revenue available, the committee is required to submit written reports to the Joint Budget Committee (JBC) setting forth its recommendations, prioritization, findings, and comments regarding each IT budget request submitted to the JTC. Reports regarding supplemental IT budget requests are due no later than January 15 of each year and new or amended requests for the upcoming fiscal year are due no later than February 15 of each year. The JBC may also choose to seek the JTC's review of any operating budget request for IT.

The JTC is required to forecast the state's needs for future IT budget requests in order to facilitate the planning and implementation of state IT projects.

Committee review. After January 1, 2014, the committee is required to review any legislative measure that is determined by the Speaker or the President to deal with IT. The committee is authorized to make advisory recommendations about such measures to the full House and Senate, the JBC, the Capital Development Committee (CDC), and any committees of reference, as appropriate.

³If a meeting is required for the CBMS reports, the meeting is required to be a joint meeting of the JTC and the JBC.

⁴Part 4 of Article 37.5 of Title 24, C.R.S.

⁵Part 5 of Article 37.5 of Title 24, C.R.S.

Upon request of the JTC, executive branch agencies, the Judicial Department, and the departments of Law, State, and Treasury are required to make available to the committee any data, reports, or information necessary for the performance of the committee's duties. The information is to be provided by November 1 of the calendar year the request was made. Executive branch agencies are required to comply with information requests from the JTC. Upon request of the General Assembly, the JTC, or the JBC, agencies are required to provide satisfactory evidence of compliance.

Additionally, the committee is authorized to review the actions of the Statewide Internet Portal Authority (SIPA).⁶ SIPA is required to submit a report to the JTC on or before November 1 of each year that sets forth a complete and detailed operating and financial statement of SIPA during the relevant fiscal year. The report must also include any recommendations for legislation or other action that may be necessary to carry out the purposes of SIPA.

Reporting requirements. On or before January 1, 2014, and on the first day of the regular legislative session thereafter, the JTC is required to submit a written report on the committee's findings and recommendations to the JBC. The report may include:

- legislation recommended by the committee, which is exempt from the five-bill limit specified in Joint Rule 24; and
- any information on approved budget requests and a report on the status of any IT project that was previously approved for phasing in or for incremental implementation over a period exceeding one year.

Executive branch agencies are encouraged to submit a written report on or before November 1 of each year to the JTC concerning IT matters that are not managed by OIT. The Judicial Department and the departments of Law, State, and Treasury are also encouraged to submit such a report on or before November 1 of each year.

Advisory board membership. On or after July 1, 2013, if a vacancy arises for the Legislative Branch position on the Government Data Advisory Board or the SIPA board of directors, such vacancy must be filled by a member of the JTC.

Additionally, the JTC is required to appoint two of its members that are not affiliated with the same political party to serve on the Colorado Voter Access and Modernized Elections Commission.

Information security plan. Legislative service agency directors are required to maintain an information security plan and keep the JTC advised of the plan.

Staff Assistance

Legislative Council Staff and the Office of Legislative Legal Services are required to assist the JTC in the performance of its duties. Historically, for similar committees, this has included:

- acting as a liaison between state agencies and the committee;
- receiving and analyzing information and requests from state agencies for the committee's review;
- managing the committee's schedule for meetings and travel;

⁶Section 24-37.7-102, C.R.S.

- providing background material and legal analysis about the matters before the committee;
- drafting bills recommended by the committee; and
- tracking and reporting on legislation and projects related to the committee's charge.

Legislative Council Staff is required to assist and advise the committee by reviewing and summarizing the IT budget requests made by all state agencies and state institutions of higher learning. Staff will also arrange such hearings as are necessary to study all IT budget requests.