

1 HOUSE BILL NO. 909

2 INTRODUCED BY M. CAFERRO

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A TECHNOLOGY INTERIM COMMITTEE;
5 PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-17-526, 5-5-202, 5-5-228, AND 5-11-105,
6 MCA; AND PROVIDING EFFECTIVE DATES."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 NEW SECTION. Section 1. Technology interim committee. (1) The technology interim committee
11 has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the
12 division of the department of administration responsible for overseeing the implementation of the Montana
13 Information Technology Act, specifically 2-17-532.

14 (2) The committee shall:

15 (a) in coordination with the legislative finance committee, review any long-range information
16 technology appropriations made by the legislature in the most recent regular and special sessions and monitor
17 the implementation of those projects;

18 (b) review legislation related to technology from the most recent session to ensure consistent
19 application across the state; and

20 (c) monitor best practices for existing and emerging technologies to ensure consistency for the
21 state's information technology structure and to ensure that Montana's laws serve and protect citizens and their
22 digital information.

23
24 **Section 2.** Section 2-17-526, MCA, is amended to read:

25 **"2-17-526. Information technology project budget summary.** (1) (a) The office of budget and
26 program planning, in cooperation with the department, shall prepare a statewide summary of:

27 (i) proposed major new information technology strategic objectives contained in the state budget;
28 and

(ii) proposed major information technology purchases or implementation impacting another state agency or branch of government to be funded within the current operating budgets, including replacement of or upgrade to existing systems.

(b) The office of budget and program planning and the department shall jointly determine the criteria for classifying a project as a major information technology project.

(2) The information technology strategic objective summary must include:

(a) a listing by institution, agency, or branch of all proposed major information technology purchases or implementations described in subsection (1). Each proposed purchase or implementation included on the list must include:

(i) a description of what would be accomplished by completing the purchase or implementation;

(ii) a list of the existing information technology applications for all branches of government that may be impacted by the purchase or implementation;

(iii) an estimate, prepared in consultation with the impacted agencies, of the costs and resource impacts on existing information technology applications;

(iv) the estimated cost of the purchase or implementation;

(v) the source for funding the purchase or implementation, including funds within an existing operating budget or a new budget request; and

(vi) the estimated cost of operating information technology resources.

(b) a listing of internal service rates proposed for providing information technology services. Each internal service rate included on the list must include:

(i) a description of the services provided; and

(ii) a breakdown, aggregated by fund type, of requests included in the state budget to support the rate.

(c) any other information as determined by the budget director or the department or as requested by the governor or the legislature.

(3) The information technology project summary must be presented to the legislative fiscal analyst in accordance with 17-7-111(4) and the technology interim committee."

1 **Section 3.** Section 5-5-202, MCA, is amended to read:

2 **"5-5-202. Interim committees.** (1) During an interim when the legislature is not in session, the
3 committees listed in subsection (2) are the interim committees of the legislature. They are empowered to sit as
4 committees and may act in their respective areas of responsibility. The functions of the legislative council,
5 legislative audit committee, legislative finance committee, environmental quality council, state-tribal relations
6 committee, and local government committee are provided for in the statutes governing those committees.

7 (2) The following are the interim committees of the legislature:

8 (a) economic affairs committee;

9 (b) education committee;

10 (c) children, families, health, and human services committee;

11 (d) law and justice committee;

12 (e) energy and telecommunications committee;

13 (f) revenue committee;

14 (g) state administration and veterans' affairs committee;

15 (h) technology committee;

16 ~~(h)~~(i) transportation committee; and

17 ~~(i)~~(j) water policy committee.

18 (3) An interim committee, the local government committee, or the environmental quality council
19 may refer an issue to another committee that the referring committee determines to be more appropriate for the
20 consideration of the issue. Upon the acceptance of the referred issue, the accepting committee shall consider
21 the issue as if the issue were originally within its jurisdiction. If the committee that is referred an issue declines
22 to accept the issue, the original committee retains jurisdiction.

23 (4) If there is a dispute between committees as to which committee has proper jurisdiction over a
24 subject, the legislative council shall determine the most appropriate committee and assign the subject to that
25 committee. If there is an entity that is attached to an agency for administrative purposes under the jurisdiction of
26 an interim committee and another interim committee has a justification to seek jurisdiction and petitions the
27 legislative council, the legislative council may assign that entity to the interim committee seeking jurisdiction
28 unless otherwise provided by law."

1

2 **Section 4.** Section 5-5-228, MCA, is amended to read:

3 **"5-5-228. State administration and veterans' affairs interim committee.** (1) The state

4 administration and veterans' affairs interim committee has administrative rule review, draft legislation review,
5 program evaluation, and monitoring functions for the public employee retirement plans and for the following
6 executive branch agencies and, unless otherwise assigned by law, the entities attached to the agencies for
7 administrative purposes:

8 (a) department of administration, except:

9 (i) the state compensation insurance fund provided for in 39-71-2313, including the board of
10 directors of the state compensation insurance fund established in 2-15-1019;

11 (ii) the Montana tax appeal board established in 2-15-1015;

12 (iii) the division of banking and financial institutions; ~~and~~

13 (iv) the office of state public defender; and

14 (v) the division of state information technology services;

15 (b) department of military affairs; and

16 (c) office of the secretary of state.

17 (2) The committee shall:

18 (a) consider the actuarial and fiscal soundness of the state's public employee retirement systems,
19 based on reports from the teachers' retirement board, the public employees' retirement board, and the board of
20 investments, and study and evaluate the equity and benefit structure of the state's public employee retirement
21 systems;

22 (b) establish principles of sound fiscal and public policy as guidelines;

23 (c) as necessary, develop legislation to keep the retirement systems consistent with sound policy
24 principles; and

25 (d) publish, for legislators' use, information on the public employee retirement systems that the
26 committee considers will be valuable to legislators when considering retirement legislation.

27 (3) The committee may:

28 (a) specify the date by which retirement board proposals affecting a retirement system must be

1 submitted to the committee for the review pursuant to subsection (1); and

2 (b) request personnel from state agencies, including boards, political subdivisions, and the state
3 public employee retirement systems, to furnish any information and render any assistance that the committee
4 may request."

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6 **Section 5.** Section 5-11-105, MCA, is amended to read:

7 **"5-11-105. Powers and duties of council.** (1) The legislative council shall:

8 (a) employ and, in accordance with the rules for classification and pay established as provided in
9 this section, set the salary of an executive director of the legislative services division, who serves at the
10 pleasure of and is responsible to the legislative council;

11 (b) with the concurrence of the legislative audit committee and the legislative finance committee,
12 adopt rules for classification and pay of legislative branch employees, other than those of the office of
13 consumer counsel;

14 (c) with the concurrence of the legislative audit committee and the legislative finance committee,
15 adopt rules governing personnel management of branch employees, other than those of the office of consumer
16 counsel;

17 (d) adopt procedures to administer legislator claims for reimbursements authorized by law for
18 interim activity;

19 (e) establish time schedules and deadlines for the interim committees of the legislature, including
20 dates for requesting bills and completing interim work;

21 (f) review proposed legislation for agencies or entities that are not assigned to an interim
22 committee, as provided in 5-5-223 through 5-5-228 and [section 1], or to the environmental quality council, as
23 provided in 75-1-324;

24 (g) review proposed statewide initiatives as defined in 13-27-110 and vote to either support or not
25 support the placement of the text of the proposed statewide initiative on the ballot in accordance with 13-27-
26 228; and

27 (h) perform other duties assigned by law.

28 (2) If a question of statewide importance arises when the legislature is not in session and a

1 legislative interim committee has not been assigned to consider the question, the legislative council shall assign
2 the question to an appropriate interim committee, as provided in 5-5-202, or to the appropriate statutorily
3 created committee."

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5 **NEW SECTION. Section 6. Appropriation.** (1) There is appropriated the following amounts from the
6 general fund to the legislative services division for the biennium beginning July 1, 2025:

7 (a) \$84,300 to be used for committee member compensation and expenses as provided in 5-2-
8 302; and

9 (b) \$243,290 to be used to hire a research analyst to provide staff support to the technology
10 interim committee.

11 (2) The legislature intends that the appropriations in this section be considered part of the ongoing
12 base for the next legislative session.

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14 **NEW SECTION. Section 7. Codification instruction.** [Section 1] is intended to be codified as an
15 integral part of Title 5, chapter 5, part 2, and the provisions of Title 5, chapter 5, part 2, apply to [section 1].

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17 **NEW SECTION. Section 8. Effective dates.** (1) Except as provided in subsection (2), [this act] is
18 effective on passage and approval.

19 (2) [Section 6] is effective July 1, 2025.

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