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Jeff Maxon, Interim Chief Information Technology Officer

Laura Kelly, Governor

To: Senate Committee on Ways and Means
From: Jeff Maxon, Interim Executive Branch Chief Information Technology Officer (CITO)
Re: Written Neutral Testimony of HB 2077
Date: March 23, 2023

Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony regarding House Bill 2077.

Given the central responsibility that I have in information technology (IT) project reporting, it is important to note that HB 2077 changes the definition of reportable projects from a monetary threshold to a risk-based model. By moving to a risk-based approval process, security, cost, and other key risk indicators are used to determine whether a project is reportable. Currently, reportable projects are those that cost more than $250,000. Projects that don't meet the $250,000 threshold, but have a higher associated risk factor, like interacting with sensitive information, are not considered reportable under the current definition. A risk-based model provides a more holistic view of the impact of an IT project and elevates the projects that are truly the most important for oversight.

The IT Business Risk Assessment was created in 2022 by the Kansas Information Technology Office (KITO), and it has been piloted by several agencies since its completion. The assessment was presented last year to members of the Joint Committee on Information Technology (JCIT) and the Information Technology Executive Council (ITEC).

Additionally, HB 2077 gives JCIT additional oversight of high-level IT project plans. Over the last few years, JCIT expressed their interest to have a more active role in the approval process for IT projects.

Using the Joint Committee on State Building Construction as a model, HB 2077 allows JCIT to advise and consult on projects that pose a significant business risk as determined by ITEC policies. As part of that process, project presentations can be provided to the full committee if requested by two or more members of JCIT. Executive Branch IT did provide input into the bill to help try to mitigate the potential for time delays and increased costs during the procurement process given JCIT's interest in the oversight process.

Moreover, the bill updates and clarifies provisions to the Kansas Cybersecurity Act (KCA) which continues to play a key and significant role in our state security posture. Two key components include:

- Authority for the Chief Information Security Officer (CISO) to set cybersecurity policy for Executive Branch agencies. This would include the ability for the Kansas Information Security Office (KISO) to audit and assess the cybersecurity posture of Executive Branch agencies.

- Entities that experience a significant cybersecurity incident and transmit, receive, process or store personal information that is provided by the State of Kansas or support information systems operated

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by the State of Kansas are required to notify the KISO no later than 12 hours after discovery of the significant cybersecurity incident. The language allows the KISO to take proactive measures to secure the State and potentially offer support to the entity that was impacted.

I am happy to provide any additional information the Committee requests.

Thank you,

Jeff Maxon
Interim Executive Branch Chief Information Technology Officer