

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2438

As Amended by Senate Committee of the Whole

Brief*

HB 2438 would prohibit state agencies from contracting with a vendor on an information technology project if that vendor prepared or assisted with:

- The preparation of the program statement;
- The project planning documents; or
- Any other project plans prepared prior to approval of the project by the Chief Information Technology Officer (CITO) of the relevant branch of government.

Information technology projects with estimated cumulative costs of less than \$5.0 million would be exempted from the provisions of the bill. Additionally, the provisions of the bill could be waived with written permission from the CITO.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was prefiled for introduction on December 21, 2017, at the request of the Legislative Post Audit Committee.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Action

In the House Committee on Federal and State Affairs hearing, the Post Auditor provided neutral testimony on the bill. The Post Auditor stated his belief that the bill represents good project management practices. No other conferees appeared before the House Committee.

Senate Action

In the Senate Committee on Federal and State Affairs hearing, neutral testimony was provided by the Interim Post Auditor and the Interim CITO of the Executive Branch, who provided proposed language for the Senate Committee to consider. (The proposed language was not adopted.) No other testimony was provided.

The Senate Committee of the Whole amended the bill to change the effective date from upon publication in the statute book to upon publication in the *Kansas Register*.

Fiscal Effects

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Department for Children and Families, the Kansas Department of Health and Environment, the Kansas Department of Agriculture, and the Kansas Department of Transportation all indicate the bill would have no fiscal effect, as these agencies have no plans to implement information technology projects with costs exceeding \$5.0 million in FY 2018 or FY 2019. The Office of Information Technology Services indicates the bill could have a fiscal effect on the agency, but any fiscal effect cannot be estimated.