

SB3938



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3938

Introduced 1/21/2022, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

20 ILCS 1370/1-5
20 ILCS 1370/1-25
20 ILCS 1370/1-35

Amends the Department of Innovation and Technology Act. Removes provision requiring the Department of Innovation and Technology to assist client agencies in identifying funding opportunities and ensuring compliance with all applicable laws, regulations, and grant terms. Removes provision requiring the Department to develop and implement a comprehensive plan to coordinate or centralize communications services among State agencies with offices at different locations. Modifies defined terms.

LRB102 22759 RJF 31905 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Innovation and Technology Act
5 is amended by changing Sections 1-5, 1-25, and 1-35 as
6 follows:

7 (20 ILCS 1370/1-5)

8 Sec. 1-5. Definitions. In this Act:

9 "Client agency" means each transferring agency, or its
10 successor, and any other public agency to which the Department
11 provides service to the extent specified in an interagency
12 agreement with the public agency.

13 "Dedicated unit" means the dedicated bureau, division,
14 office, or other unit within a transferring agency that is
15 responsible for the information technology functions of the
16 transferring agency.

17 "Department" means the Department of Innovation and
18 Technology.

19 "Information technology" means technology,
20 infrastructure, equipment, systems, software, networks, and
21 processes used to create, send, receive, and store electronic
22 or digital information, including, without limitation,
23 computer systems and telecommunication services and systems.

1 "Information technology" shall be construed broadly to
2 incorporate future technologies ~~(such as sensors and balanced~~
3 ~~private hybrid or public cloud posture tailored to the mission~~
4 ~~of the agency)~~ that change or supplant those in effect as of
5 the effective date of this Act.

6 "Information technology functions" means the development,
7 procurement, installation, retention, maintenance, operation,
8 possession, storage, and related functions of all information
9 technology.

10 "Secretary" means the Secretary of Innovation and
11 Technology.

12 "State agency" means each State agency, department, board,
13 and commission under the jurisdiction of the Governor.

14 "Transferring agency" means the Department on Aging; the
15 Departments of Agriculture, Central Management Services,
16 Children and Family Services, Commerce and Economic
17 Opportunity, Corrections, Employment Security, Financial and
18 Professional Regulation, Healthcare and Family Services, Human
19 Rights, Human Services, Insurance, Juvenile Justice, Labor,
20 Lottery, Military Affairs, Natural Resources, Public Health,
21 Revenue, Transportation, and Veterans' Affairs; the Illinois
22 State Police; the Capital Development Board; the Deaf and Hard
23 of Hearing Commission; the Environmental Protection Agency;
24 the Governor's Office of Management and Budget; the
25 Guardianship and Advocacy Commission; the Abraham Lincoln
26 Presidential Library and Museum; the Illinois Arts Council;

1 the Illinois Council on Developmental Disabilities; the
2 Illinois Emergency Management Agency; the Illinois Gaming
3 Board; ~~the Illinois Health Information Exchange Authority;~~ the
4 Illinois Liquor Control Commission; the Office of the State
5 Fire Marshal; and the Prisoner Review Board.

6 (Source: P.A. 102-376, eff. 1-1-22; 102-538, eff. 8-20-21;
7 revised 9-28-21.)

8 (20 ILCS 1370/1-25)

9 Sec. 1-25. Charges for services; non-State funding. The
10 Department may establish charges for services rendered by the
11 Department to client agencies from funds provided directly to
12 the client agency by appropriation or otherwise. In
13 establishing charges, the Department shall consult with client
14 agencies to make charges transparent and clear and seek to
15 minimize or avoid charges for costs for which the Department
16 has other funding sources available.

17 Client agencies shall continue to apply for and otherwise
18 seek federal funds and other capital and operational resources
19 for technology for which the agencies are eligible and,
20 subject to compliance with applicable laws, regulations, and
21 grant terms, make those funds available for use by the
22 Department. ~~The Department shall assist client agencies in
23 identifying funding opportunities and, if funds are used by
24 the Department, ensuring compliance with all applicable laws,
25 regulations, and grant terms.~~

1 (Source: P.A. 100-611, eff. 7-20-18.)

2 (20 ILCS 1370/1-35)

3 Sec. 1-35. Communications services.

4 (a) (Blank). ~~The Department shall develop and implement a~~
5 ~~comprehensive plan to coordinate or centralize communications~~
6 ~~services among State agencies with offices at different~~
7 ~~locations. The plan shall be updated based on a continuing~~
8 ~~study of communications problems of State government and shall~~
9 ~~include any information technology related equipment or~~
10 ~~service used for communication purposes including digital,~~
11 ~~analog, or future transmission medium, whether for voice,~~
12 ~~data, or any combination thereof. The plan shall take into~~
13 ~~consideration systems that might affect economies, including,~~
14 ~~but not limited to, quantity discount services and may include~~
15 ~~provision of telecommunications service to local and federal~~
16 ~~government entities located within this State if State~~
17 ~~interests can be served by so doing.~~

18 (b) The Department shall provide for and coordinate
19 communications services for State agencies and, when requested
20 and when in the best interests of the State, for units of
21 federal or local governments and public and not-for-profit
22 institutions of primary, secondary, and higher education. The
23 Department may make use of, or support or provide any
24 information technology-related communications equipment or
25 services necessary and available to support the needs of

1 interested parties not associated with State government
2 provided that State government usage shall have first
3 priority. For this purpose the Department shall have the power
4 to do all of the following:

5 (1) Provide for and control the procurement,
6 retention, installation, and maintenance of communications
7 equipment or services used by State agencies in the
8 interest of efficiency and economy.

9 (2) Review existing standards and, where appropriate,
10 propose to establish new or modified standards for State
11 agencies which shall include a minimum of one
12 telecommunication device for the deaf installed and
13 operational within each State agency, to provide public
14 access to agency information for those persons who are
15 hearing or speech impaired. The Department shall consult
16 the Department of Human Services to develop standards and
17 implementation for this equipment.

18 (3) Establish charges for information technology for
19 State agencies and, when requested, for units of federal
20 or local government and public and not-for-profit
21 institutions of primary, secondary, or higher education.
22 Entities charged for these services shall pay the
23 Department.

24 (4) Instruct all State agencies to report their usage
25 of communication services regularly to the Department in
26 the manner the Department may prescribe.

1 (5) Analyze the present and future aims and needs of
2 all State agencies in the area of communications services
3 and plan to serve those aims and needs in the most
4 effective and efficient manner.

5 (6) Provide telecommunications and other
6 communications services.

7 (7) Establish the administrative organization within
8 the Department that is required to accomplish the purpose
9 of this Section.

10 This subsection (b) does not apply to the procurement of
11 Next Generation 9-1-1 service as governed by Section 15.6b of
12 the Emergency Telephone System Act.

13 (Source: P.A. 101-81, eff. 7-12-19; 102-376, eff. 1-1-22.)