

# HB3626



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3626

Introduced 2/17/2023, by Rep. Chris Miller

### SYNOPSIS AS INTRODUCED:

20 ILCS 1370/1-15

Amends the Department of Innovation and Technology Act. Provides that the Department shall prohibit the use of TikTok on State devices by any State personnel or other person.

LRB103 26003 DTM 52357 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 Section 1-15 as follows:

6 (20 ILCS 1370/1-15)

7 Sec. 1-15. Powers and duties.

8 (a) The head officer of the Department is the Secretary,  
9 who shall be the chief information officer for the State and  
10 the steward of State data with respect to those agencies under  
11 the jurisdiction of the Governor. The Secretary shall be  
12 appointed by the Governor, with the advice and consent of the  
13 Senate. The Department may employ or retain other persons to  
14 assist in the discharge of its functions, subject to the  
15 Personnel Code.

16 (b) The Department shall promote best-in-class innovation  
17 and technology to client agencies to foster collaboration  
18 among client agencies, empower client agencies to provide  
19 better service to residents of Illinois, and maximize the  
20 value of taxpayer resources. The Department shall be  
21 responsible for information technology functions on behalf of  
22 client agencies.

23 (c) The Department shall provide for and coordinate

1 information technology for State agencies and, when requested  
2 and when in the best interests of the State, for State  
3 constitutional offices, units of federal or local governments,  
4 and public and not-for-profit institutions of primary,  
5 secondary, and higher education, or other parties not  
6 associated with State government. The Department shall  
7 establish charges for information technology for State  
8 agencies and, when requested, for State constitutional  
9 offices, units of federal or local government, and public and  
10 not-for-profit institutions of primary, secondary, or higher  
11 education and for use by other parties not associated with  
12 State government. Entities charged for these services shall  
13 make payment to the Department. The Department may instruct  
14 all State agencies to report their usage of information  
15 technology regularly to the Department in the manner the  
16 Secretary may prescribe.

17 (d) The Department shall develop and implement standards,  
18 policies, and procedures to protect the security and  
19 interoperability of State data with respect to those agencies  
20 under the jurisdiction of the Governor, including in  
21 particular data that are confidential, sensitive, or protected  
22 from disclosure by privacy or other laws, while recognizing  
23 and balancing the need for collaboration and public  
24 transparency.

25 (e) The Department shall be responsible for providing the  
26 Governor with timely, comprehensive, and meaningful

1 information pertinent to the formulation and execution of  
2 fiscal policy. In performing this responsibility, the  
3 Department shall have the power to do the following:

4 (1) Control the procurement, retention, installation,  
5 maintenance, and operation, as specified by the  
6 Department, of information technology equipment used by  
7 client agencies in such a manner as to achieve maximum  
8 economy and provide appropriate assistance in the  
9 development of information suitable for management  
10 analysis.

11 (2) Establish principles and standards of information  
12 technology-related reporting by client agencies and  
13 priorities for completion of research by those agencies in  
14 accordance with the requirements for management analysis  
15 specified by the Department.

16 (3) Establish charges for information technology and  
17 related services requested by client agencies and rendered  
18 by the Department. The Department is likewise empowered to  
19 establish prices or charges for all information technology  
20 reports purchased by agencies and individuals not  
21 connected with State government.

22 (4) Instruct all client agencies to report regularly  
23 to the Department, in the manner the Department may  
24 prescribe, their usage of information technology, the cost  
25 incurred, the information produced, and the procedures  
26 followed in obtaining the information. All client agencies

1 shall request from the Department assistance and  
2 consultation in securing any necessary information  
3 technology to support their requirements.

4 (5) Examine the accounts and information  
5 technology-related data of any organization, body, or  
6 agency receiving appropriations from the General Assembly,  
7 except for a State constitutional office, the Office of  
8 the Executive Inspector General, or any office of the  
9 legislative or judicial branches of State government. For  
10 a State constitutional office, the Office of the Executive  
11 Inspector General, or any office of the legislative or  
12 judicial branches of State government, the Department  
13 shall have the power to examine the accounts and  
14 information technology-related data of the State  
15 constitutional office, the Office of the Executive  
16 Inspector General, or any office of the legislative or  
17 judicial branches of State government when requested by  
18 those offices.

19 (6) Install and operate a modern information  
20 technology system using equipment adequate to satisfy the  
21 requirements for analysis and review as specified by the  
22 Department. Expenditures for information technology and  
23 related services rendered shall be reimbursed by the  
24 recipients. The reimbursement shall be determined by the  
25 Department as amounts sufficient to reimburse the  
26 Technology Management Revolving Fund for expenditures

1           incurred in rendering the services.

2           (f) In addition to the other powers and duties listed in  
3 subsection (e), the Department shall analyze the present and  
4 future aims, needs, and requirements of information  
5 technology, research, and planning in order to provide for the  
6 formulation of overall policy relative to the use of  
7 information technology and related equipment by the State of  
8 Illinois. In making this analysis, the Department shall  
9 formulate a master plan for information technology, using  
10 information technology most advantageously, and advising  
11 whether information technology should be leased or purchased  
12 by the State. The Department shall prepare and submit interim  
13 reports of meaningful developments and proposals for  
14 legislation to the Governor on or before January 30 each year.  
15 The Department shall engage in a continuing analysis and  
16 evaluation of the master plan so developed, and it shall be the  
17 responsibility of the Department to recommend from time to  
18 time any needed amendments and modifications of any master  
19 plan enacted by the General Assembly.

20           (g) The Department may make information technology and the  
21 use of information technology available to units of local  
22 government, elected State officials, State educational  
23 institutions, the judicial branch, the legislative branch, and  
24 all other governmental units of the State requesting them. The  
25 Department shall establish prices and charges for the  
26 information technology so furnished and for the use of the

1 information technology. The prices and charges shall be  
2 sufficient to reimburse the cost of furnishing the services  
3 and use of information technology.

4 (g-5) The Department shall prohibit the use of TikTok on  
5 State devices by any State personnel or other person.

6 (h) The Department may establish standards to provide  
7 consistency in the operation and use of information  
8 technology.

9 (i) The Department may adopt rules under the Illinois  
10 Administrative Procedure Act necessary to carry out its  
11 responsibilities under this Act.

12 (Source: P.A. 102-376, eff. 1-1-22.)