

1 AN ACT relating to the state geographic information clearinghouse.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 42.726 is amended to read as follows:

- 4 (1) The Commonwealth Office of Technology shall be the lead organizational entity  
5 within the executive branch regarding delivery of information technology services,  
6 including application development and delivery, and shall serve as the single  
7 information technology authority for the Commonwealth.
- 8 (2) The roles and duties of the Commonwealth Office of Technology shall include but  
9 not be limited to:
- 10 (a) Providing technical support and services to all executive agencies of state  
11 government in the application of information technology;
- 12 (b) Assuring compatibility and connectivity of Kentucky's information systems;
- 13 (c) Developing strategies and policies to support and promote the effective  
14 applications of information technology within state government as a means of  
15 saving money, increasing employee productivity, and improving state services  
16 to the public, including electronic public access to information of the  
17 Commonwealth;
- 18 (d) Developing, implementing, and managing strategic information technology  
19 directions, standards, and enterprise architecture, including implementing  
20 necessary management processes to assure full compliance with those  
21 directions, standards, and architecture;
- 22 (e) Promoting effective and efficient design and operation of all major  
23 information resources management processes for executive branch agencies,  
24 including improvements to work processes;
- 25 (f) Developing, implementing, and maintaining the technology infrastructure of  
26 the Commonwealth and all related support staff, planning, administration,  
27 asset management, and procurement for all executive branch cabinets and

- 1 agencies except:
- 2 1. Agencies led by a statewide elected official;
  - 3 2. The nine (9) public institutions of postsecondary education;
  - 4 3. The Department of Education's services provided to local school
  - 5 districts;
  - 6 4. The Kentucky Retirement Systems, the County Employees Retirement
  - 7 System, the Kentucky Public Pensions Authority, and the Teachers'
  - 8 Retirement System;
  - 9 5. The Kentucky Housing Corporation;
  - 10 6. The Kentucky Lottery Corporation;
  - 11 7. The Kentucky Higher Education Student Loan Corporation; and
  - 12 8. The Kentucky Higher Education Assistance Authority;
- 13 (g) Facilitating and fostering applied research in emerging technologies that offer
- 14 the Commonwealth innovative business solutions;
- 15 (h) Reviewing and overseeing large or complex information technology projects
- 16 and systems for compliance with statewide strategies, policies, and standards,
- 17 including alignment with the Commonwealth's business goals, investment,
- 18 and other risk management policies. The executive director is authorized to
- 19 grant or withhold approval to initiate these projects;
- 20 (i) Integrating information technology resources to provide effective and
- 21 supportable information technology applications in the Commonwealth;
- 22 (j) Establishing ~~the~~ central statewide geographic information clearinghouse to
- 23 maintain map inventories, information on current and planned geographic
- 24 information systems applications, information on grants available for the
- 25 acquisition or enhancement of geographic information resources, and a
- 26 directory of geographic information resources available within the state or
- 27 from the federal government;

- 1 (k) Coordinating multiagency information technology projects, including  
2 overseeing the development and maintenance of statewide base maps and  
3 geographic information systems;
- 4 (l) Providing access to both consulting and technical assistance, and education  
5 and training, on the application and use of information technologies to state  
6 and local agencies;
- 7 (m) In cooperation with other agencies, evaluating, participating in pilot studies,  
8 and making recommendations on information technology hardware and  
9 software;
- 10 (n) Providing staff support and technical assistance to the Geographic Information  
11 Advisory Council and the Kentucky Information Technology Advisory  
12 Council;
- 13 (o) Overseeing the development of a statewide geographic information plan with  
14 input from the Geographic Information Advisory Council;
- 15 (p) Developing for state executive branch agencies a coordinated security  
16 framework and model governance structure relating to the privacy and  
17 confidentiality of personal information collected and stored by state executive  
18 branch agencies, including but not limited to:
- 19 1. Identification of key infrastructure components and how to secure them;
  - 20 2. Establishment of a common benchmark that measures the effectiveness  
21 of security, including continuous monitoring and automation of  
22 defenses;
  - 23 3. Implementation of vulnerability scanning and other security  
24 assessments;
  - 25 4. Provision of training, orientation programs, and other communications  
26 that increase awareness of the importance of security among agency  
27 employees responsible for personal information; and

- 1           5.   Development of and making available a cyber security incident response  
2                    plan and procedure; and
- 3           (q)   Preparing proposed legislation and funding proposals for the General  
4                    Assembly that will further solidify coordination and expedite implementation  
5                    of information technology systems.
- 6   (3)   The Commonwealth Office of Technology may:
- 7           (a)   Provide general consulting services, technical training, and support for generic  
8                    software applications, upon request from a local government, if the executive  
9                    director finds that the requested services can be rendered within the  
10                  established terms of the federally approved cost allocation plan;
- 11          (b)   Promulgate administrative regulations in accordance with KRS Chapter 13A  
12                  necessary for the implementation of KRS 42.720 to 42.742, 45.253, 171.420,  
13                  186A.040, and 186A.285;
- 14          (c)   Solicit, receive, and consider proposals from any state agency, federal agency,  
15                  local government, university, nonprofit organization, private person, or  
16                  corporation;
- 17          (d)   Solicit and accept money by grant, gift, donation, bequest, legislative  
18                  appropriation, or other conveyance to be held, used, and applied in accordance  
19                  with KRS 42.720 to 42.742, 45.253, 171.420, 186A.040, and 186A.285;
- 20          (e)   Make and enter into memoranda of agreement and contracts necessary or  
21                  incidental to the performance of duties and execution of its powers, including,  
22                  but not limited to, agreements or contracts with the United States, other state  
23                  agencies, and any governmental subdivision of the Commonwealth;
- 24          (f)   Accept grants from the United States government and its agencies and  
25                  instrumentalities, and from any source, other than any person, firm, or  
26                  corporation, or any director, officer, or agent thereof that manufactures or sells  
27                  information resources technology equipment, goods, or services. To these

1 ends, the Commonwealth Office of Technology shall have the power to  
2 comply with those conditions and execute those agreements that are  
3 necessary, convenient, or desirable; and

4 (g) Purchase interest in contractual services, rentals of all types, supplies,  
5 materials, equipment, and other services to be used in the research and  
6 development of beneficial applications of information resources technologies.

7 Competitive bids may not be required for:

- 8 1. New and emerging technologies as approved by the executive director or  
9 her or his designee; or
- 10 2. Related professional, technical, or scientific services, but contracts shall  
11 be submitted in accordance with KRS 45A.690 to 45A.725.

12 (4) Nothing in this section shall be construed to alter or diminish the provisions of KRS  
13 171.410 to 171.740 or the authority conveyed by these statutes to the Archives and  
14 Records Commission and the Department for Libraries and Archives.

15 (5) The Commonwealth Office of Technology shall, on or before October 1 of each  
16 year, submit to the Legislative Research Commission a report in accordance with  
17 KRS 57.390 detailing:

- 18 (a) Any security breaches that occurred within organizational units of the  
19 executive branch of state government during the prior fiscal year that required  
20 notification to the Commonwealth Office of Technology under KRS 61.932;
- 21 (b) Actions taken to resolve the security breach, and to prevent additional security  
22 breaches in the future;
- 23 (c) A general description of what actions are taken as a matter of course to protect  
24 personal data from security breaches; and
- 25 (d) Any quantifiable financial impact to the agency reporting a security breach.