

Senate Bill 117

By: Senators Martin of the 9th, Miller of the 49th, Walker III of the 20th, Thompson of the 14th, Dugan of the 30th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the
2 Georgia Technology Authority, so as to change the definition of the term "agency"; to
3 provide for the establishment of certain policies and standards to be used by all agencies; to
4 provide for waivers under certain circumstances; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia
9 Technology Authority, is amended by revising paragraph (1) of subsection (b) of Code
10 Section 50-25-1, relating to the establishment of the Georgia Technology Authority, as
11 follows:

12 "(1) 'Agency' means every state department, agency, board, bureau, commission, and
13 authority but shall not include any agency within the judicial or legislative branch of state
14 government, the Georgia Department of Defense, or the University System of Georgia
15 and shall also not include any authority statutorily required to effectuate the provisions
16 of Part 4 of Article 9 of Title 11."

17 **SECTION 2.**

18 Said chapter is further amended by revising subsection (a) of Code Section 50-25-4, relating
19 to the general powers of the Georgia Technology Authority, as follows:

20 "(a) The authority shall have the following powers:

- 21 (1) To have a seal and alter the same at its pleasure;
- 22 (2) To make and execute contracts, lease agreements, and all other instruments necessary
23 or convenient to exercise the powers of the authority or to further the public purpose for
24 which the authority is created;

- 25 (3) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real or
 26 personal property of every kind and character, or any interest therein, in furtherance of
 27 the public purpose of the authority;
- 28 (4) To apply for and to accept any gifts or grants or loan guarantees or loans of funds or
 29 property or financial or other aid in any form from the federal government or any agency
 30 or instrumentality thereof, or from the state or any agency or instrumentality thereof, or
 31 from any other source for any or all of the purposes specified in this chapter and to
 32 comply, subject to the provisions of this chapter, with the terms and conditions thereof;
- 33 (5) To contract with state agencies or any local government for the use by the authority
 34 of any property, facilities, or services of the state or any such state agency or local
 35 government or for the use by any state agency or local government of any facilities or
 36 services of the authority; and such state agencies and local governments are authorized
 37 to enter into such contracts;
- 38 (6) To fix and collect fees and charges for data, media, and incidental services;
- 39 (7) To deposit or invest funds held by it in any state depository or in any investment
 40 which is authorized for the investment of proceeds of state general obligation bonds; and
 41 to use for its corporate purposes or redeposit or reinvest interest earned on such funds;
- 42 (8) To establish policies and standards for agencies to submit information technology
 43 plans to the authority. ~~Standards~~ Such policies and standards shall include without
 44 limitation content, format, and frequency of submission;
- 45 (9) ~~Reserved~~ To establish technology policies and standards for all agencies, including,
 46 but not limited to, the role and responsibilities of chief information officers and chief
 47 information security officers within such agencies;
- 48 ~~(10) To set technology policy for all agencies except those under the authority,~~
 49 ~~direction, or control of the General Assembly or state-wide elected officials other than~~
 50 ~~the Governor;~~
- 51 ~~(11)~~(10) To establish and maintain official employee purchase programs for technology
 52 resources facilitated by and through the authority for state employees and public school
 53 employees of county or independent boards of education;
- 54 ~~(12)~~(11) To provide oversight and program management for all technology resources for
 55 projects exceeding a cumulative investment of \$1 million to accomplish goals of
 56 technology portfolio management;
- 57 ~~(13)~~(12) To develop such plans and reports as are deemed necessary and useful and to
 58 require agencies to submit periodic reports at such frequency and with such content as the
 59 board shall define;
- 60 ~~(14)~~(13) To prepare fiscal impact statements relating to necessary modifications and
 61 development of technology to support policies required by proposed legislation;

- 62 ~~(15)~~(14) To establish architecture for state technology infrastructure to promote efficient
 63 use of resources and to promote economic development;
- 64 ~~(16)~~(15) To provide processes and systems for timely and fiscally prudent management
 65 of the state's financial resources to include, without limitation, cash management;
- 66 ~~(17)~~(16) To establish advisory committees from time to time, including, without
 67 limitation, a standing advisory committee composed of representatives from agencies
 68 which shall make recommendations to the authority concerning such matters as policies,
 69 standards, and architecture;
- 70 ~~(18)~~(17) To coordinate with agencies, the legislative and judicial branches of
 71 government, and the Board of Regents of the University System of Georgia, regarding
 72 technology policy;
- 73 ~~(19)~~(18) To coordinate with local and federal governments to achieve the goals of the
 74 authority;
- 75 ~~(20)~~(19) To identify and pursue alternative funding approaches;
- 76 ~~(21)~~(20) To establish technology security policies, standards, and services to be used by
 77 all agencies;
- 78 ~~(22)~~(21) To conduct technology audits of all agencies;
- 79 ~~(23)~~(22) To facilitate and encourage the conduct of business on the Internet;
- 80 ~~(24)~~(23) To expand and establish policies necessary to ensure the legal authority and
 81 integrity of electronic documents;
- 82 ~~(25)~~(24) To provide and approve as part of the state technology plan an implementation
 83 plan and subsequent policies and goals designed to increase the use of telecommuting
 84 among state employees;
- 85 ~~(26)~~(25) To create a center for innovation to create applications of technology that will
 86 yield positive, measurable benefits to the state;
- 87 ~~(27)~~(26) To contract through the Department of Administrative Services for the lease,
 88 rental, purchase, or other acquisition of all technology resource related supplies,
 89 materials, services, and equipment required by the state government or any of its agencies
 90 and designate such contracts as mandatory sources of supply for agency purchases or to
 91 authorize any agency to purchase or contract for technology;
- 92 ~~(28)~~(27) To establish and enforce standard specifications which shall apply to all
 93 technology and technology resource related supplies, materials, and equipment purchased
 94 or to be purchased for the use of the state government or any of its agencies, which
 95 specifications shall be based on and consistent with industry accepted open network
 96 architecture standards;
- 97 ~~(29)~~(28) To establish specifications and standards for technology resources, which shall
 98 apply to all technology to be purchased, licensed, or leased by any agency;

99 (29) To provide a waiver for any agency as to the use of any policies, standards,
100 specifications, or contracts developed by the authority, when it is determined by the
101 authority that such should not be applicable to such agency or that it will promote the best
102 interests of the state to grant such a waiver.

103 (30) To exercise any power granted by the laws of this state to public or private
104 corporations which is not in conflict with the public purpose of the authority; and

105 (31) To do all things necessary or convenient to carry out the powers conferred by this
106 chapter."

107 **SECTION 3.**

108 All laws and parts of laws in conflict with this Act are repealed.