

By: Senator(s) Clarke

To: Appropriations

SENATE BILL NO. 2779
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY
3 SERVICES (MDITS) TO CHARGE STATE AGENCIES PASS-THROUGH COSTS FOR
4 TELECOMMUNICATIONS, DATA CENTER SERVICES AND/OR OTHER INFORMATION
5 TECHNOLOGY SERVICES TO THE AGENCIES USING THOSE SERVICES ON AN
6 AS-NEEDED BASIS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND
7 ADMINISTRATION TO CHARGE STATE AGENCIES FOR MISSISSIPPI MANAGEMENT
8 AND REPORTING SYSTEMS (MMRS) STATEWIDE APPLICATION CHARGES AND
9 UTILITY CHARGES IF FEDERAL GRANTS, SPECIAL FUNDS OR PASS-THROUGH
10 FUNDS ARE INVOLVED; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE
11 OF 1972, TO CLARIFY CERTAIN RESTRICTIONS ON THE MISSISSIPPI
12 DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BEING FUNDED FROM
13 THE STATE GENERAL FUND; TO AMEND SECTIONS 25-53-5, 25-53-29 AND
14 25-53-151, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING
15 PROVISIONS; AND FOR RELATED PURPOSES.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

17 **SECTION 1.** Section 27-104-203, Mississippi Code of 1972, is
18 amended as follows:

19 27-104-203. From and after July 1, 2016, no state agency
20 shall charge another state agency a fee, assessment, rent, audit
21 fee, personnel fee or other charge for services or resources
22 received. The provisions of this section shall not apply (a) to
23 grants, contracts, pass-through funds, project fees or other
24 charges for services between state agencies and the Board of



25 Trustees of State Institutions of Higher Learning, any public
26 university, the Mississippi Community College Board, any public
27 community or junior college, and the State Department of
28 Education, nor (b) to charges for services between the Board of
29 Trustees of State Institutions of Higher Learning, any public
30 university, the Mississippi Community College Board, any public
31 community or junior college, and the State Department of
32 Education, nor (c) to federal grants, pass-through funds, cost
33 allocation charges, surplus property charges or project fees
34 between state agencies as approved or determined by the State
35 Fiscal Officer, nor (d) telecommunications, data center services,
36 and/or other information technology services that are used on an
37 as-needed basis and those costs shall be passed through to the
38 using agency, nor (e) to federal grants, special funds, or
39 pass-through funds, available for payment by state agencies to the
40 Department of Finance and Administration related to Mississippi
41 Management and Reporting Systems (MMRS) Statewide Application
42 charges and utilities as approved or determined by the State
43 Fiscal Officer. The Board of Trustees of State Institutions of
44 Higher Learning, any public university, the Mississippi Community
45 College Board, any public community or junior college, and the
46 State Department of Education shall retain the authority to charge
47 and be charged for expenditures that they deemed nonrecurring in
48 nature by the State Fiscal Officer.



49 **SECTION 2.** Section 27-104-205, Mississippi Code of 1972, is
50 amended as follows:

51 27-104-205. (1) From and after July 1, 2016, the expenses
52 of the following enumerated state agencies shall be defrayed by
53 appropriation of the Legislature from the State General Fund: the
54 State Fire Marshal, the State Fire Academy, the Office of
55 Secretary of State (not including the Preneed Contracts Loss
56 Recovery Fund), the Mississippi Public Service Commission, the
57 Mississippi Department of Information Technology Services, (not
58 including the Mississippi Department of Information Technology
59 Services Revolving Fund), the State Personnel Board, the
60 Mississippi Department of Insurance (not including the Municipal
61 Fire Protection Fund, Section 83-1-37, the County Volunteer Fire
62 Department Fund, Section 83-1-39, and the Mississippi Propane
63 Education and Research Fund, Section 75-57-119), the Mississippi
64 Law Enforcement Officers' Minimum Standards Board * * *, the
65 Mississippi Gaming Commission; the Mississippi Oil and Gas
66 Board * * *, the Mississippi Department of Revenue - License
67 Tag * * *, the Office of the State Public Defender * * *, the
68 Mississippi Workers' Compensation Commission (not including the
69 Second Injury Trust Fund) * * * and the Office of Attorney
70 General * * *. Beginning July 1, 2016, any fees, assessments or
71 other revenues charged for the support of the above-named state
72 agencies shall be deposited into the State General Fund, and any
73 special fund or depository established within the State Treasury



74 for the deposit of such fees, assessments or revenues shall be
75 abolished and the balance transferred to the State General Fund.
76 Expenses heretofore drawn from such special funds or other
77 depositories shall be drawn from the agencies General Fund
78 Account.

79 (2) Beginning with the fiscal year ending June 30, 2016, the
80 amount to be appropriated annually from the State General Fund for
81 the support of each of the above-named state agencies shall not
82 exceed the amount appropriated for such purpose in the preceding
83 fiscal year, plus any increases in or additional fees, assessments
84 or other charges authorized by act of the Legislature for the
85 succeeding fiscal year.

86 (3) The provisions of this section shall not apply to any
87 trust fund account that is maintained by any above-named agency.

88 (4) The provisions of this section shall not prohibit any of
89 the above-named agencies from maintaining clearing accounts in
90 approved depositories.

91 (5) The provisions of this section shall not apply to any
92 trust fund accounts maintained by the Public Employees' Retirement
93 System and protected under Section 272A of the Mississippi
94 Constitution of 1890.

95 **SECTION 3.** Section 25-53-5, Mississippi Code of 1972, is
96 amended as follows:

97 25-53-5. The authority shall have the following powers,
98 duties, and responsibilities:



99 (a) (i) The authority shall provide for the
100 development of plans for the efficient acquisition and utilization
101 of computer equipment and services by all agencies of state
102 government, and provide for their implementation. In so doing,
103 the authority may use the MDITS' staff, at the discretion of the
104 executive director of the authority, or the authority may contract
105 for the services of qualified consulting firms in the field of
106 information technology and utilize the service of such consultants
107 as may be necessary for such purposes. Pursuant to Section
108 25-53-1, the provisions of this section shall not apply to the
109 Department of Human Services for a period of three (3) years
110 beginning on July 1, 2016. Pursuant to Section 25-53-1, the
111 provisions of this section shall not apply to the Department of
112 Child Protection Services for a period of three (3) years
113 beginning July 1, 2016.

114 (ii) Notwithstanding the exemption of the
115 Department of Human Services and the Department of Child
116 Protection Services from the provisions of this section, before
117 the Department of Human Services or the Department of Child
118 Protection Services may take an action that would otherwise be
119 subject to the provisions of this section, the department(s) shall
120 give notice of the proposed action to the MDITS for any
121 recommendations by the MDITS. Upon receipt of the notice, the
122 MDITS shall post the notice on its website and on the procurement
123 portal website established by Sections 25-53-151 and 27-104-165.



124 If the MDITS does not respond to the department(s) within seven
125 (7) calendar days after receiving the notice, the department(s)
126 may take the proposed action. If the MDITS responds to the
127 department(s) within seven (7) calendar days, then the MDITS has
128 seven (7) calendar days from the date of its initial response to
129 provide any additional recommendations. After the end of the
130 second seven-day period, the department(s) may take the proposed
131 action. The MDITS is not authorized to disapprove any proposed
132 actions that would otherwise be subject to the provisions of this
133 section. This subparagraph (ii) shall stand repealed on July 1,
134 2019.

135 (b) The authority shall immediately institute
136 procedures for carrying out the purposes of this chapter and
137 supervise the efficient execution of the powers and duties of the
138 office of executive director of the authority. In the execution
139 of its functions under this chapter, the authority shall maintain
140 as a paramount consideration the successful internal organization
141 and operation of the several agencies so that efficiency existing
142 therein shall not be adversely affected or impaired. In executing
143 its functions in relation to the institutions of higher learning
144 and junior colleges in the state, the authority shall take into
145 consideration the special needs of such institutions in relation
146 to the fields of teaching and scientific research.

147 (c) Title of whatever nature of all computer equipment
148 now vested in any agency of the State of Mississippi is hereby



149 vested in the authority, and no such equipment shall be disposed
150 of in any manner except in accordance with the direction of the
151 authority or under the provisions of such rules and regulations as
152 may hereafter be adopted by the authority in relation thereto.

153 (d) The authority shall adopt rules, regulations, and
154 procedures governing the acquisition of computer and
155 telecommunications equipment and services which shall, to the
156 fullest extent practicable, insure the maximum of competition
157 between all manufacturers of supplies or equipment or services.
158 In the writing of specifications, in the making of contracts
159 relating to the acquisition of such equipment and services, and in
160 the performance of its other duties the authority shall provide
161 for the maximum compatibility of all information systems hereafter
162 installed or utilized by all state agencies and may require the
163 use of common computer languages where necessary to accomplish the
164 purposes of this chapter. The authority may establish by
165 regulation and charge reasonable fees on a nondiscriminatory basis
166 for the furnishing to bidders of copies of bid specifications and
167 other documents issued by the authority.

168 (e) The authority shall adopt rules and regulations
169 governing the sharing with, or the sale or lease of information
170 technology services to any nonstate agency or person. Such
171 regulations shall provide that any such sharing, sale or lease
172 shall be restricted in that same shall be accomplished only where
173 such services are not readily available otherwise within the



174 state, and then only at a charge to the user not less than the
175 prevailing rate of charge for similar services by private
176 enterprise within this state.

177 (f) The authority may, in its discretion, establish a
178 special technical advisory committee or committees to study and
179 make recommendations on technology matters within the competence
180 of the authority as the authority may see fit. Persons serving on
181 the Information Resource Council, its task forces, or any such
182 technical advisory committees shall be entitled to receive their
183 actual and necessary expenses actually incurred in the performance
184 of such duties, together with mileage as provided by law for state
185 employees, provided the same has been authorized by a resolution
186 duly adopted by the authority and entered on its minutes prior to
187 the performance of such duties.

188 (g) The authority may provide for the development and
189 require the adoption of standardized computer programs and may
190 provide for the dissemination of information to and the
191 establishment of training programs for the personnel of the
192 various information technology centers of state agencies and
193 personnel of the agencies utilizing the services thereof.

194 (h) The authority shall adopt reasonable rules and
195 regulations requiring the reporting to the authority through the
196 office of executive director of such information as may be
197 required for carrying out the purposes of this chapter and may
198 also establish such reasonable procedures to be followed in the



199 presentation of bills for payment under the terms of all contracts
200 for the acquisition of computer equipment and services now or
201 hereafter in force as may be required by the authority or by the
202 executive director in the execution of their powers and duties.

203 (i) The authority shall require such adequate
204 documentation of information technology procedures utilized by the
205 various state agencies and may require the establishment of such
206 organizational structures within state agencies relating to
207 information technology operations as may be necessary to
208 effectuate the purposes of this chapter.

209 (j) The authority may adopt such further reasonable
210 rules and regulations as may be necessary to fully implement the
211 purposes of this chapter. All rules and regulations adopted by
212 the authority shall be published and disseminated in readily
213 accessible form to all affected state agencies, and to all current
214 suppliers of computer equipment and services to the state, and to
215 all prospective suppliers requesting the same. Such rules and
216 regulations shall be kept current, be periodically revised, and
217 copies thereof shall be available at all times for inspection by
218 the public at reasonable hours in the offices of the authority.
219 Whenever possible no rule, regulation or any proposed amendment to
220 such rules and regulations shall be finally adopted or enforced
221 until copies of the proposed rules and regulations have been
222 furnished to all interested parties for their comment and
223 suggestions.



224 (k) The authority shall establish rules and regulations
225 which shall provide for the submission of all contracts proposed
226 to be executed by the executive director for computer equipment or
227 services to the authority for approval before final execution, and
228 the authority may provide that such contracts involving the
229 expenditure of less than such specified amount as may be
230 established by the authority may be finally executed by the
231 executive director without first obtaining such approval by the
232 authority.

233 (l) The authority is authorized to purchase, lease, or
234 rent computer equipment or services and to operate that equipment
235 and use those services in providing services to one or more state
236 agencies when in its opinion such operation will provide maximum
237 efficiency and economy in the functions of any such agency or
238 agencies.

239 (m) Upon the request of the governing body of a
240 political subdivision or instrumentality, the authority shall
241 assist the political subdivision or instrumentality in its
242 development of plans for the efficient acquisition and utilization
243 of computer equipment and services. An appropriate fee shall be
244 charged the political subdivision by the authority for such
245 assistance.

246 (n) The authority shall adopt rules and regulations
247 governing the protest procedures to be followed by any actual or
248 prospective bidder, offerer or contractor who is aggrieved in



249 connection with the solicitation or award of a contract for the
250 acquisition of computer equipment or services. Such rules and
251 regulations shall prescribe the manner, time and procedure for
252 making protests and may provide that a protest not timely filed
253 shall be summarily denied. The authority may require the
254 protesting party, at the time of filing the protest, to post a
255 bond, payable to the state, in an amount that the authority
256 determines sufficient to cover any expense or loss incurred by the
257 state, the authority or any state agency as a result of the
258 protest if the protest subsequently is determined by a court of
259 competent jurisdiction to have been filed without any substantial
260 basis or reasonable expectation to believe that the protest was
261 meritorious; however, in no event may the amount of the bond
262 required exceed a reasonable estimate of the total project cost.
263 The authority, in its discretion, also may prohibit any
264 prospective bidder, offerer or contractor who is a party to any
265 litigation involving any such contract with the state, the
266 authority or any agency of the state to participate in any other
267 such bid, offer or contract, or to be awarded any such contract,
268 during the pendency of the litigation.

269 (o) The authority shall make a report in writing to the
270 Legislature each year in the month of January. Such report shall
271 contain a full and detailed account of the work of the authority
272 for the preceding year as specified in Section 25-53-29(3).



273 All acquisitions of computer equipment and services involving
274 the expenditure of funds in excess of the dollar amount
275 established in Section 31-7-13(c), or rentals or leases in excess
276 of the dollar amount established in Section 31-7-13(c) for the
277 term of the contract, shall be based upon competitive and open
278 specifications, and contracts therefor shall be entered into only
279 after advertisements for bids are published in one or more daily
280 newspapers having a general circulation in the state not less than
281 fourteen (14) days prior to receiving sealed bids therefor. The
282 authority may reserve the right to reject any or all bids, and if
283 all bids are rejected, the authority may negotiate a contract
284 within the limitations of the specifications so long as the terms
285 of any such negotiated contract are equal to or better than the
286 comparable terms submitted by the lowest and best bidder, and so
287 long as the total cost to the State of Mississippi does not exceed
288 the lowest bid. If the authority accepts one (1) of such bids, it
289 shall be that which is the lowest and best.

290 (p) When applicable, the authority may procure
291 equipment, systems and related services in accordance with the law
292 or regulations, or both, which govern the Bureau of Purchasing of
293 the Office of General Services or which govern the Mississippi
294 Department of Information Technology Services procurement of
295 telecommunications equipment, software and services.

296 (q) The authority is authorized to purchase, lease, or
297 rent information technology and services for the purpose of



298 establishing pilot projects to investigate emerging technologies.
299 These acquisitions shall be limited to new technologies and shall
300 be limited to an amount set by annual appropriation of the
301 Legislature. These acquisitions shall be exempt from the
302 advertising and bidding requirement.

303 (r) All fees collected by the Mississippi Department of
304 Information Technology Services shall be deposited into the
305 Mississippi Department of Information Technology Services
306 Revolving Fund unless otherwise specified by the Legislature.

307 (s) The authority shall work closely with the council
308 to bring about effective coordination of policies, standards and
309 procedures relating to procurement of remote sensing and
310 geographic information systems (GIS) resources. In addition, the
311 authority is responsible for development, operation and
312 maintenance of a delivery system infrastructure for geographic
313 information systems data. The authority shall provide a warehouse
314 for Mississippi's geographic information systems data.

315 (t) The authority shall manage one or more State Data
316 Centers to provide information technology services on a
317 cost-sharing basis. In determining the appropriate services to be
318 provided through the State Data Center, the authority should
319 consider those services that:

320 (i) Result in savings to the state as a whole;

321 (ii) Improve and enhance the security and
322 reliability of the state's information and business systems; and



323 (iii) Optimize the efficient use of the state's
324 information technology assets, including, but not limited to,
325 promoting partnerships with the state institutions of higher
326 learning and community colleges to capitalize on advanced
327 information technology resources.

328 (u) The authority shall increase federal participation
329 in the cost of the State Data Center to the extent provided by law
330 and its shared technology infrastructure through providing such
331 shared services to agencies that receive federal funds. With
332 regard to state institutions of higher learning and community
333 colleges, the authority may provide shared services when mutually
334 agreeable, following a determination by both the authority and the
335 Board of Trustees of State Institutions of Higher Learning or the
336 Mississippi Community College Board, as the case may be, that the
337 sharing of services is mutually beneficial.

338 (v) The authority, in its discretion, may require new
339 or replacement agency business applications to be hosted at the
340 State Data Center. With regard to state institutions of higher
341 learning and community colleges, the authority and the Board of
342 Trustees of State Institutions of Higher Learning or the
343 Mississippi Community College Board, as the case may be, may agree
344 that institutions of higher learning or community colleges may
345 utilize business applications that are hosted at the State Data
346 Center, following a determination by both the authority and the
347 applicable board that the hosting of those applications is



348 mutually beneficial. In addition, the authority may establish
349 partnerships to capitalize on the advanced technology resources of
350 the Board of Trustees of State Institutions of Higher Learning or
351 the Mississippi Community College Board, following a determination
352 by both the authority and the applicable board that such a
353 partnership is mutually beneficial.

354 (w) The authority shall provide a periodic update
355 regarding reform-based information technology initiatives to the
356 Chairmen of the House and Senate Accountability, Efficiency and
357 Transparency Committees.

358 * * *

359 From and after July 1, 2018, the expenses of this agency
360 shall be defrayed by appropriation from the State General Fund.
361 In addition, in order to receive the maximum use and benefit from
362 information technology and services, expenses for the provision of
363 statewide shared services that facilitate cost-effective
364 information processing and telecommunication solutions shall be
365 defrayed by pass-through funding and shall be deposited into the
366 Mississippi Department of Information Technology Services
367 Revolving Fund unless otherwise specified by the Legislature.
368 These funds shall only be utilized to pay the actual costs
369 incurred by the Mississippi Department of Information Technology
370 Services for providing these shared services to state agencies.
371 Furthermore, state agencies shall work in full cooperation with
372 the Board of the Mississippi Department of Information Technology



373 Services to identify computer equipment or services to minimize
374 duplication, reduce costs, and improve the efficiency of providing
375 common technology services across agency boundaries.

376 **SECTION 4.** Section 25-53-29, Mississippi Code of 1972, is
377 amended as follows:

378 25-53-29. (1) For the purposes of this section the term
379 "bureau" shall mean the "Mississippi Department of Information
380 Technology Services." The authority shall have the following
381 powers and responsibilities to carry out the establishment of
382 policy and provide for long-range planning and consulting:

383 (a) Provide a high level of technical expertise for
384 agencies, institutions, political subdivisions and other
385 governmental entities as follows: planning; consulting; project
386 management; systems and performance review; system definition;
387 design; application programming; training; development and
388 documentation; implementation; maintenance; and other tasks as may
389 be required, within the resources available to the bureau.

390 (b) Publish written planning guides, policies and
391 procedures for use by agencies and institutions in planning future
392 electronic information service systems. The bureau may require
393 agencies and institutions to submit data, including periodic
394 electronic equipment inventory listings, information on agency
395 staffing, systems under study, planned applications for the
396 future, and other information needed for the purposes of preparing
397 the state master plan. The bureau may require agencies and



398 institutions to submit any additional data required for purposes
399 of preparing the state master plan.

400 (c) Inspect agency facilities and equipment, interview
401 agency employees and review records at any time deemed necessary
402 by the bureau for the purpose of identifying cost-effective
403 applications of electronic information technology. Upon
404 conclusion of any inspection, the bureau shall issue a management
405 letter containing cost estimates and recommendations to the agency
406 head and governing board concerning applications identified that
407 would result in staff reductions, other monetary savings and
408 improved delivery of public services.

409 (d) Conduct classroom and on-site training for end
410 users for applications and systems developed by the bureau.

411 (e) Provide consulting services to agencies and
412 institutions or Mississippi governmental subdivisions requesting
413 technical assistance in electronic information services technology
414 applications and systems. The bureau may submit proposals and
415 enter into contracts to provide services to agencies and
416 institutions or governmental subdivisions for such purposes.

417 (2) The bureau shall annually issue a three-year master plan
418 in writing to the Governor, available on request to any member of
419 the Legislature, including recommended statewide strategies and
420 goals for the effective and efficient use of information
421 technology and services in state government. The report shall
422 also include recommended information policy actions and other



423 recommendations for consideration by the Governor and members of
424 the Legislature.

425 (3) The bureau shall make an annual report in writing to the
426 Governor, available on request to any member of the Legislature,
427 to include a full and detailed account of the work of the
428 authority for the preceding year. The report shall contain
429 recommendations to agencies and institutions resulting from
430 inspections or consulting contracts. The report shall also
431 contain a summary of the master plan, progress made, and
432 legislative and policy recommendations for consideration by the
433 Governor and members of the Legislature.

434 (4) The bureau may charge fees to agencies and institutions
435 for services rendered to them. The bureau may charge fees to
436 vendors to recover the cost of providing procurement services and
437 the delivery of procurement awards to public bodies. The amounts
438 of such fees shall be set by the authority upon recommendation of
439 the Executive Director of the MDITS, and all such fees collected
440 shall be paid into the fund established for carrying out the
441 purposes of this section.

442 (5) It is the intention of the Legislature that the
443 employees of the bureau performing services defined by this
444 section be staffed by highly qualified persons possessing
445 technical, consulting and programming expertise. Such employees
446 shall be considered nonstate service employees as defined in
447 Section 25-9-107(c) (x) and may be compensated at a rate comparable



448 to the prevailing rate of individuals in qualified professional
449 consulting firms in the private sector. Such compensation rates
450 shall be determined by the State Personnel Director. The number
451 of such positions shall be set by annual appropriation of the
452 Legislature. Qualifications and compensation of the bureau
453 employees shall be set by the State Personnel Board upon
454 recommendation of the Executive Director of the MDITS. The total
455 number of positions and classification of positions may be
456 increased or decreased during a fiscal year depending upon work
457 load and availability of funds.

458 (6) The bureau may, from time to time, at the discretion of
459 the Executive Director of the MDITS, contract with firms or
460 qualified individuals to be used to augment the bureau's
461 professional staff in order to assure timely completion and
462 implementation of assigned tasks, provided that funds are
463 available in the fund established for carrying out the purposes of
464 this section. Such individuals may be employees of any agency,
465 bureau or institution provided that these individuals or firms
466 meet the requirements of other individuals or firms doing business
467 with the state through the Mississippi Department of Information
468 Technology Services. Individuals who are employees of an agency
469 or institution may contract with the Mississippi Department of
470 Information Technology Services only with the concurrence of the
471 agency or institution for whom they are employed.

472 * * *



473 From and after July 1, 2018, the expenses of this agency
474 shall be defrayed by appropriation from the State General Fund.
475 In addition, in order to receive the maximum use and benefit from
476 information technology and services, expenses for the provision of
477 statewide shared services that facilitate cost-effective
478 information processing and telecommunication solutions shall be
479 defrayed by pass-through funding and shall be deposited into the
480 Mississippi Department of Information Technology Services
481 Revolving Fund unless otherwise specified by the Legislature.
482 These funds shall only be utilized to pay the actual costs
483 incurred by the Mississippi Department of Information Technology
484 Services for providing these shared services to state agencies.
485 Furthermore, state agencies shall work in full cooperation with
486 the Board of the Mississippi Department of Information Technology
487 Services (MDITS) to identify computer equipment or services to
488 minimize duplication, reduce costs, and improve the efficiency of
489 providing common technology services across agency boundaries.

490 **SECTION 5.** Section 25-53-151, Mississippi Code of 1972, is
491 amended as follows:

492 25-53-151. (1) There is established in the State Treasury
493 the "Electronic Government Services Fund," into which shall be
494 deposited specific funds appropriated by the Legislature for
495 developing and providing electronic government services within the
496 State of Mississippi. Any funds in the Electronic Government
497 Services Fund at the end of a fiscal year shall not lapse into the



498 State General Fund, but shall be available for expenditure in the
499 subsequent fiscal year. The funds in the Electronic Government
500 Fund shall be available for expenditure pursuant to specific
501 appropriation by the Legislature beginning in fiscal year 2002, to
502 the Mississippi Department of Information Technology Services.

503 (2) There is hereby established an Electronic Government
504 Oversight Committee to oversee the implementation of E-Government
505 and related technology initiatives. Duties of this committee
506 would include: (a) prioritize and make recommendations for all
507 electronic government services, in order to cut across state and
508 local governmental organizational structures; (b) address policy
509 issues such as privacy, security, transaction fees and
510 accessibility; (c) review ongoing fiscal and operational
511 management and support of portal; (d) provide a mechanism for
512 gathering input from citizens, businesses and government entities;
513 (e) encourage self-service models for citizens through state
514 websites and other electronic services; and (f) promote economic
515 development and efficient delivery of government services by
516 encouraging governmental and private sector entities to conduct
517 their business and transactions using electronic media. The
518 Electronic Government Oversight Committee shall be composed of the
519 following: (a) the Executive Director of the Mississippi
520 Department of Information Technology Services, or his designee;
521 (b) the State Auditor, or his designee; (c) the State Treasurer,
522 or his designee; (d) the Secretary of State, or his designee; (e)



523 the Executive Director of the Department of Finance and
524 Administration, or his designee; (f) the Commissioner of Public
525 Safety, or his designee; (g) the Commissioner of Revenue, or his
526 designee. The committee shall annually elect one (1) member to
527 serve as chairman and one (1) member to serve as vice chairman,
528 who shall act as chairman in the absence of the chairman. The
529 committee shall meet monthly or upon the call of the chairman, and
530 shall make necessary reports and recommendations to the
531 Legislature and the appropriate agencies of state government. All
532 agencies of state government shall cooperate with the committee in
533 providing requested information, shall work closely with and
534 provide information to the committee and shall report to the
535 committee at its request. The Mississippi Department of
536 Information Technology Services shall provide administrative
537 support for the committee. Nonlegislative members of the
538 committee shall serve without compensation.

539 (3) The Electronic Government Oversight Committee shall
540 advise and provide direction to the Department of Finance and
541 Administration to develop a procurement portal that will enable
542 potential vendors of goods and services to access relevant and
543 necessary information related to the sale of the following types
544 of goods and services to the State of Mississippi and its
545 agencies:

546 (a) Commodities, as defined by Section 31-7-1;



547 (b) Contract personnel, as defined by Sections 25-9-107
548 and 25-9-120; and

549 (c) Computer equipment and services, as defined by
550 Section 25-53-3.

551 (4) The procurement portal provided for in subsection (3)
552 must provide potential vendors with the following:

553 (a) A searchable database of business procurement
554 opportunities with the state which includes a breakdown by product
555 or service and by the organization seeking the product or service;

556 (b) Listings of the published date and closing date for
557 each business procurement opportunity;

558 (c) A "Frequently Asked Questions" section regarding
559 doing business with the respective agencies;

560 (d) A breakdown of "Frequently Asked Questions"
561 regarding the selection process with the respective agencies;

562 (e) An open-air forum for questions and answers
563 relating to the procurement process, in general, as well as
564 specifically relating to a single contract; and

565 (f) Links to individual agency websites and contacts to
566 enable potential vendors to obtain more specific information, if
567 necessary.

568 (5) The procurement portal must be linked to the
569 Transparency Mississippi website established in accordance with
570 Sections 27-104-151 through 27-104-163. The Mississippi



571 Department of Information Technology Services shall develop and
572 maintain a link to the procurement portal from the state website.

573 * * *

574 From and after July 1, 2018, the expenses of this agency
575 shall be defrayed by appropriation from the State General Fund.
576 In addition, in order to receive the maximum use and benefit from
577 information technology and services, expenses for the provision of
578 statewide shared services that facilitate cost-effective
579 information processing and telecommunication solutions shall be
580 defrayed by pass-through funding and shall be deposited into the
581 Mississippi Department of Information Technology Services
582 Revolving Fund unless otherwise specified by the Legislature.
583 These funds shall only be utilized to pay the actual costs
584 incurred by the Mississippi Department of Information Technology
585 Services for providing these shared services to state agencies.
586 Furthermore, state agencies shall work in full cooperation with
587 the Board of the Mississippi Department of Information Technology
588 Services (MDITS) to identify computer equipment or services to
589 minimize duplication, reduce costs, and improve the efficiency of
590 providing common technology services across agency boundaries.

591 **SECTION 6.** This act shall take effect and be in force from
592 and after July 1, 2018.

