

By: Representatives Zuber, Ford (73rd)

To: State Affairs;
TechnologyCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1491

1 AN ACT TO ESTABLISH A CLOUD CENTER OF EXCELLENCE (CCOE)
2 WITHIN THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY
3 SERVICES; TO FACILITATE THE ADOPTION AND MANAGEMENT OF CLOUD
4 COMPUTING ACROSS STATE AGENCIES AND GOVERNING AUTHORITIES; TO
5 PROVIDE STRATEGIC GUIDANCE, BEST PRACTICES, AND GOVERNANCE
6 FRAMEWORKS FOR CLOUD MIGRATION AND OPTIMIZATION; TO ENHANCE
7 SECURITY, SCALABILITY, AND COST EFFICIENCY IN STATEWIDE CLOUD
8 OPERATIONS; TO AUTHORIZE THE PHASED IMPLEMENTATION OF THE CCOE
9 OVER A FIVE-YEAR PERIOD; TO PROVIDE REPORTING AND OVERSIGHT
10 REQUIREMENTS; TO AUTHORIZE THE PROMULGATION OF RULES AND
11 REGULATIONS NECESSARY FOR ITS ADMINISTRATION; TO AMEND SECTION
12 25-53-3, MISSISSIPPI CODE OF 1972, TO CONFORM DEFINITIONS; TO
13 BRING FORWARD SECTION 25-53-21, MISSISSIPPI CODE OF 1972, FOR
14 PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** This act shall be known and may be cited as the
17 "Cloud Center of Excellence Act."

18 **SECTION 2.** As used in this act, the following terms shall
19 have the meanings ascribed herein, unless the context clearly
20 requires otherwise:

21 (a) "Cloud Center of Excellence" or "CCOE" means the
22 centralized body responsible for providing strategic guidance,
23 best practices, governance, and technical support for cloud



adoption and management across state agencies and governing authorities.

(b) "Cloud computing" means on-demand access to computing resources, including storage, servers, and applications, delivered via the Internet or other networks.

(c) "MDITS" or "department" means the Mississippi Department of Information Technology Services.

(d) "Governing authority" means the same as the term governing authority is defined in Section 25-53-3(2)(f).

(e) "State agency" means the same as the term "agency" is defined in Section 25-53-3(2)(e).

SECTION 3. (1) There is established within the Mississippi Department of Information Technology Services (MDITS) a centralized Cloud Center of Excellence (CCOE) to facilitate cloud adoption across state agencies and governing authorities, enhance technological infrastructure, improve security and scalability, and streamline cloud migrations in a cost-effective and efficient manner.

(2) Using existing resources, MDITS may review the process for the coordinated development, hosting and management of computer software for state agencies that use cloud computing services. The Cloud Center of Excellence (CCOE) shall:

(a) Develop and implement a statewide strategy for cloud adoption and management;



(b) Provide guidance, best practices, and governance frameworks to state agencies and governing authorities for the adoption and use of cloud services;

(c) Establish standardized processes for cloud migrations, resource optimization, and workload assessments;

(d) Enhance cybersecurity protocols and ensure compliance with state and federal security standards;

(e) Monitor and report on the scalability, cost efficiency, and performance of cloud infrastructure;

(f) Offer training and support to agency personnel to promote cloud literacy and effective utilization; and

(g) Coordinate with state agencies and governing authorities to ensure a phased implementation schedule as required by the provision of Section 4 of this act.

SECTION 4. (1) The Cloud Center of Excellence (CCOE) shall establish a five-year phased implementation plan as follows:

(a) By July 1, 2026, conduct statewide readiness assessments and develop detailed cloud migration plans for pilot agencies;

(b) By July 1, 2027, initiate pilot migrations for selected state agencies, establish key performance indicators (KPIs) and refine processes based on feedback;

(c) By July 1, 2028, expand cloud adoption to additional state agencies, focusing on optimizing resource utilization and ensuring adherence to best practices;



(d) By July 1, 2029, begin integration of governing authorities into the cloud ecosystem, providing support for local governments, postsecondary educational institutions and school districts; and

(e) By July 1, 2030, achieve full statewide adoption of cloud services, with ongoing monitoring, training, and optimization provided by the CCOE for all state agencies and governing authorities.

(2) During the respective schedule of implementation described in subsection (1), each state agency and governing authority integrated into the CCOE at that time shall consider:

(a) Cloud computing service options, including any security benefits and cost savings associated with purchasing those service options from a cloud computing service provider and from a statewide technology center established by the department, when making purchases; and

(b) Cloud computing service options and compatibility with cloud computing services in the development of new information technology software applications.

(3) (a) Except as provided by paragraph (b) of this subsection, a state agency or governing authority shall ensure, when making purchases for an automated information system, that the system is capable of being deployed and run on cloud computing services.



97 (b) When making a purchase for an automated information
98 system, a state agency or governing authority may determine that,
99 due to integration limitations with legacy systems, security risks
100 or costs, the state agency or governing authority is unable to
101 purchase a system capable of being deployed and run on cloud
102 computing services.

103 (c) At least fourteen (14) days before the date a state
104 agency or governing authority solicits bids, proposals, offers or
105 other applicable expressions of interest for a purchase described
106 by paragraph (b) of this subsection, the state agency or governing
107 authority shall submit a report that describes the purchase and
108 the agency's reasoning for making the purchase of an automated
109 information system to the Mississippi Department of Information
110 Technology Services (MDITS).

111 (4) The department shall provide administrative support and
112 oversight to the CCOE and ensure compliance with this act.

113 (5) The department is authorized to:

114 (a) Enter into agreements with cloud service providers
115 to facilitate cost-effective procurement of cloud solutions;

116 (b) Develop and enforce statewide cloud security and
117 compliance standards;

118 (c) Establish funding mechanisms, including interagency
119 agreements, to support the operations of the CCOE; and

120 (d) Promulgate rules and regulations necessary to carry
121 out the provisions of this act.



SECTION 5.

(1) Not later than November 15 of each even-numbered year, MDITS, using existing resources, shall submit a report to the Governor, Lieutenant Governor and Speaker, the Chairpersons of the House and Senate Committees on Technology and of the House State Affairs Committee on the use of cloud computing service options by state agencies and governing authorities, detailing the progress of the implementation plan, challenges encountered, and recommendations for improvement. The report must include use cases that provided cost savings and other benefits, including security enhancements. All state agencies and governing authorities shall cooperate with MDITS in the creation of the report by providing timely and accurate information and any assistance required by the department.

SECTION 6.

The Legislature shall appropriate funds to the Department of Information Technology Services to implement and operate the Cloud Center of Excellence (CCOE). The CCOE may seek additional funding through federal grants, partnerships, and other available resources.

SECTION 7. Section 25-53-3, Mississippi Code of 1972, is

amended as follows:

25-53-3. (1) Whenever the term "Central Data Processing Authority" or the term "authority," when referring to the Central Data Processing Authority, is used in any law, rule, regulation, document or elsewhere, it shall be construed to mean the Mississippi Department of Information Technology Services.



(2) For the purposes of this chapter the following terms shall have the meanings ascribed in this section unless the context otherwise requires:

(a) "Central Data Processing Authority" and "CDPA" mean "Mississippi Department of Information Technology Services (MDITS)" and the term "authority" means "board of the MDITS."

(b) "Bureau of Systems Policy and Planning," "Bureau of Telecommunications," "Bureau of Central Data Processing" and "bureau" mean "Mississippi Department of Information Technology Services."

(c) "Computer equipment or services" means any information technology, computer or computer related telecommunications equipment, electronic word processing and office systems, or services utilized in connection therewith, including, but not limited to, all phases of computer software and consulting services, and insurance on all state-owned computer equipment.

(d) "Acquisition" of computer or telecommunications equipment or services means the purchase, lease, rental, or acquisition in any other manner of any such computer or telecommunications equipment or services.

(e) "Agency" means and includes all the various state agencies, officers, departments, boards, commissions, offices and institutions of the state.



171 (f) "Governing authority" means boards of supervisors,
172 governing boards of all school districts, all boards of directors
173 of public water supply districts, boards of directors of master
174 public water supply districts, municipal public utility
175 commissions, governing authorities of all municipalities, port
176 authorities, commissioners and boards of trustees of any public
177 hospitals and any * * * governing authority of the state supported
178 wholly or in part by public funds of the state or * * * governing
179 authority thereof.

180 (g) "Bid" means any of the valid source selection
181 techniques and competitive procurement methods appropriate to
182 information technology procurement in the public sector,
183 including, but not limited to, competitive sealed bidding,
184 competitive sealed proposals, simplified small purchase
185 procedures, sole source procurements, and emergency procurements.

186 (h) "Telecommunications transmission facility" means
187 any transmission medium, switch, instrument, inside wiring system
188 or other facility which is used, in whole or part, to provide any
189 transmission.

190 (i) "Equipment support contract" means a contract which
191 covers a single, specific class or classes of telecommunications
192 equipment or service and all features associated with that class,
193 through which state agencies may purchase or lease the item of
194 equipment or service specified by issuing a purchase order under



the terms of the contract without the necessity of further competitive bidding.

(j) "Inside wiring system" means any wiring which:

(i) Directly or indirectly, interconnects any terminal equipment with any other terminal equipment or with any regulated facility or common carrier services; and

(ii) Is located at the premises of the customer and is not inside any terminal equipment.

(k) "Procurement" means the selling, buying, purchasing, renting, leasing or otherwise obtaining telecommunications equipment, system or related services, as well as activities engaged in, resulting in or expected to result in selling, buying, purchasing, renting, leasing or otherwise obtaining telecommunications equipment.

(l) "Telecommunications equipment, systems, related services" are limited to the equipment and means to provide:

(i) Telecommunications transmission facilities.

(ii) Telephone systems, including voice processing systems.

(iii) Facsimile systems.

(iv) Radio paging services.

(v) Mobile telephone services, including cellular mobile telephone service.

(vi) Intercom and paging systems.

(vii) Video teleconferencing systems.



220 (viii) Personal communications networks and
221 services.

222 (ix) Any and all systems based on emerging and
223 future telecommunications technologies relative to (i) through
224 (viii) above.

225 (m) "Telecommunications system lease contract" means a
226 contract between a supplier of telecommunications systems,
227 including equipment and related services, and the Mississippi
228 Department of Information Technology Services through which
229 telecommunications systems, including equipment and related
230 services, may be leased for a term which shall not exceed sixty
231 (60) months for a system lease valued less than One Million
232 Dollars (\$1,000,000.00) and shall not exceed one hundred twenty
233 (120) months for a system lease valued One Million Dollars
234 (\$1,000,000.00) or more.

235 (n) "Tariffed or regulated service" means
236 telecommunications service offered by common carriers and subject
237 to control by the Mississippi Public Service Commission or the
238 Federal Communications Commission.

239 (o) "State Data Center" means one or more facilities
240 operated by the Mississippi Department of Information Technology
241 Services to provide information technology resources requiring
242 enterprise computing resources or any other centrally managed
243 information resources.



244 **SECTION 8.** Section 25-53-21, Mississippi Code of 1972, is
245 brought forward as follows:

246 25-53-21. The executive director shall have the following
247 duties, responsibilities and authority:

248 (a) He shall conduct continuing studies of all
249 information technology activities carried out by all agencies of
250 the state and shall develop a long-range plan for the efficient
251 and economical performance of such activities in state government.
252 Such plan shall be submitted to the authority for its approval
253 and, having been approved by the authority, shall be implemented
254 by the executive director and all state agencies. Such plan shall
255 be continuously reviewed and modifications thereof shall be
256 proposed to the authority by the executive director as
257 developments in information technology techniques and changes in
258 the structure, activities, and functions of state government may
259 require.

260 (b) He shall review the purchasing practices of all
261 state agencies in the area of the purchasing of supplies for
262 information technology and make recommendations to the authority
263 and to the Public Procurement Review Board for the institution of
264 purchasing procedures which will ensure the most economical
265 procurement of such supplies commensurate with the efficient
266 operation of all departments and agencies of state government.

267 (c) He shall see that all reports required of all
268 agencies are promptly and accurately made in accordance with the



rules and regulations adopted by the authority. Either in person or through his authorized agents, he shall make such inspections of information technology operations being conducted by any of the agencies of the state as may be necessary for the performance of his duties.

(d) He shall suggest and cause to be brought about cooperation between the several state agencies in order to provide efficiency in information technology operation. He shall, together with the heads of the agencies involved, reduce to writing and execute cooperative plans for the acquisition and operation of information technology equipment, and any such plan so adopted shall be carried out in accordance with the provisions of such plan unless the same shall be amended by the joint action of the executive director and the heads of agencies involved. The executive director shall report to the authority the details of any plan so adopted and all amendments or modifications thereof, and shall otherwise report to the authority and to the Public Procurement Review Board any failure on the part of any agency to carry out the provisions of such plan. In the event the head of any agency involved or the executive director shall propose amendments to a plan so adopted and such amendment is disapproved by the head of another agency involved or the executive director, an appeal may be taken to the authority which may, after full consideration thereof, order the adoption of the proposed amendment or any modification thereof. The executive director



shall make decisions on all questions of the division of the cost of information technology operations among the several agencies, but his findings shall be subject to the approval or modification by the authority on appeal to it.

(e) He shall review all contracts for acquisition of computer and/or telecommunications equipment or services now or hereafter in force and may require the renegotiation, termination, amendment or execution of any such contracts in proper form and in accordance with the policies and rules and regulations and subject to the direction of the authority. In the negotiation and execution of such contracts, the executive director may negotiate a limitation on the liability to the state of prospective contractors provided such limitation affords the state reasonable protection and the limitation is approved by the state entity for whom the acquisition is being made.

(f) He shall act as the purchasing and contracting agent for the State of Mississippi in the negotiation and execution of all contracts for the acquisition of computer equipment or services. He shall receive, review, and promptly approve or disapprove all requests of agencies of the state for the acquisition of computer equipment or services, which are submitted in accordance with rules and regulations of the authority. In the event that any such request is disapproved, he shall immediately notify the requesting agency and the members of the authority in writing of such disapproval, stating his reasons



therefor. The disapproval of any request by the executive director of the authority may be appealed to the authority or to the Public Procurement Review Board, respectively, in such manner as may be authorized by such reasonable rules and regulations hereby authorized to be adopted by the authority and by the Public Procurement Review Board to govern the same. The executive director shall report the approval of all such requests to the authority in such manner as may be directed by the authority, and shall execute any such contracts only after complying with rules and regulations which may be adopted by the authority in relation thereto. Any contracts for personal or professional services entered into by the executive director shall be exempted from the requirements of Section 25-9-120(3) relating to submission of such contract to the State Personal Service Contract Review Board.

(g) He shall suggest and cause to be brought about cooperation between the several state agencies, departments and institutions in order that work may be done by one agency for another agency, and equipment in one agency may be made available to another agency, and suggest and cause to be brought about such improvements as may be necessary in joint or cooperative information technology operations.

(h) He shall be designated as the "Chief Information Confidentiality Officer" after being duly sworn to the oath of this office by the chairman of the authority and shall be



343 responsible for administering the oath to other qualified officers
344 he may designate.

345 (i) He shall appoint employees of the Mississippi
346 Department of Information Technology Services, or at his
347 discretion, employees of other state agencies and institutions
348 that are responsible for handling or processing data for any
349 agency or institution other than that for which they are employed,
350 to a position of information custodial care that shall be known as
351 "Information Confidentiality Officer." The selection and swearing
352 of all officers shall be reported to the authority at the next
353 regular meeting and names, affirmation dates and employment dates
354 shall be recorded in the permanent minutes of the authority.

355 **SECTION 9.** This act shall take effect and be in force from
356 and after July 1, 2025.

