

HB3742



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3742

Introduced 2/17/2023, by Rep. Blaine Wilhour

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 31035 DTM 57653 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.)