

## SUMMARY OF SELECTED STATUTES RELATED TO LEGISLATIVE BRANCH INFORMATION TECHNOLOGY PLANNING

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**Purpose of Legislative Branch Computer System Statutes (5-11-401, MCA).** The purpose of the statutes is to establish a planning mechanism encompassing:

- broad policy needs;
- long-term direction for information systems use; and
- effective implementation of a detailed plan for the Legislative Branch.

**Purpose of Legislative Branch Plan (5-11-401, MCA).** The purpose of the branch plan is to:

- ensure coordination of information system decisions; and
- enhance coordination of Legislative Branch systems with executive branch systems whenever possible.

**Duties of Legislative Branch Information Technology Planning Council (5-11-403, MCA).** The Planning Council must develop and maintain a branch information technology plan including:

- approving and validating the branch enterprise architecture program;
- reviewing information systems that are candidates for automation, modernization, enhancement, improvement, or integration;
- developing and maintaining a description of branch functions or services that would, through application or improvement of information technology, provide better service;
- prioritizing information technology initiatives;
- adopting technology standards within the enterprise architecture program that are appropriate to the business needs and technical environment;
- consideration of information technology to support security, disaster recovery, and continuity of government.

**Duties of Legislative Services Division (5-11-404, MCA).** The Division must provide technical support to the Council by:

- developing and maintaining an enterprise architecture program;
- developing analyses of existing and alternative systems to identify candidates for automation, modernization, or enhancement;
- assisting in assessing benefits and costs of alternate solutions;
- apprising the planning council on developments and trends in the technology industry;
- maintaining a liaison with and informing the planning council of plans and directions within the Executive Branch;
- selecting and purchasing supplies and equipment;
- providing information and advice regarding information technology support of security, disaster recovery, and continuity of government; and
- providing other assistance as requested.

**Duties of the Legislative Council (5-11-405 and 2-17-518, MCA).** The Legislative Council must:

- approve and adopt the branch information technology plan.

**Duties of the Legislative Branch (2-17-517, MCA).** The Legislative Branch must provide its information technology plan to the Department of Administration.

**MONTANA CODE ANNOTATED 2011**  
**Title 5, chapter 11, part 4**  
**Computer System Planning**

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**5-11-401. Purpose.** It is the purpose of this part to establish a mechanism for information technology planning encompassing broad policy needs, long-term direction for information systems use, and the effective implementation of a detailed plan for the legislative branch. It is the purpose of the plan to ensure coordination of information system decisions so that the overall effectiveness of the senate, the house of representatives, and legislative agencies may be improved. It is the further purpose of the plan to enhance the coordination of legislative branch systems with executive branch systems whenever possible.

**5-11-402. Legislative branch information technology planning council.** There is a legislative branch information technology planning council composed of:

- (1) the secretary of the senate;
- (2) one representative of the senate designated by the president;
- (3) the chief clerk of the house of representatives;
- (4) one representative of the house designated by the speaker;
- (5) the executive director of the legislative services division, who shall chair the planning council;
- (6) the legislative auditor;
- (7) the legislative fiscal analyst;
- (8) the consumer counsel;
- (9) the chief information officer of the legislative branch; and
- (10) a person designated by the director of the department of administration to represent the information technology responsibilities of the department, who shall serve as a nonvoting member of the planning council.

**5-11-403. Duties of legislative branch information technology planning council.** The legislative branch information technology planning council shall develop and maintain a legislative branch information technology plan. In developing and maintaining this plan, the planning council shall:

- (1) approve and validate the branch enterprise architecture program that includes principles to maintain alignment with evolving business and technology needs;
- (2) continuously review analyses of existing and alternate information systems to identify candidates for automation, modernization, enhancement, improvement, or integration with new applications to support evolving legislative branch needs or functions;
- (3) include in the plan a description of functions and services in the legislative branch and its agencies that would benefit from the application or improvement of information technology to provide better service to members of the legislature, legislative agencies, and the public;
- (4) prioritize information technology initiatives, taking into consideration expected effectiveness, probable cost, and alignment with the enterprise architecture principles;
- (5) adopt technology standards within the enterprise architecture program that are appropriate to the business needs and technical environment of the legislative branch and its agencies; and
- (6) consider information technology support of security, disaster recovery, and continuity of government.

**5-11-404. Technical support.**

(1) The executive director of the legislative services division shall provide technical staff support to the legislative branch information technology planning council. In performing this duty, the legislative services division shall assist the planning council by:

- (a) developing and maintaining an enterprise architecture program to include:
    - (i) enterprise architecture principles and technology standards that are aligned with business needs;
    - (ii) decision making processes that guide the application of the principles; and
    - (iii) a repository of business and technical information to support sound decisions;
  - (b) developing analyses of existing and alternate systems to identify candidates for automation, modernization, or enhancement;
  - (c) assisting in assessing benefits and costs of alternate solutions;
  - (d) apprising the planning council of developments and trends in the technology industry;
  - (e) maintaining a liaison with and informing the planning council of plans and directions within the executive branch;
  - (f) selecting and purchasing supplies and equipment that support the enterprise architecture principles adopted by the planning council;
  - (g) providing information and advice regarding information technology support of security, disaster recovery, and continuity of government; and
  - (h) providing other assistance as may be requested.
- (2) The executive director shall encourage participation of appropriate personnel of the senate, the house of representatives, and other legislative entities in the provision of technical support.

**5-11-405. Legislative branch information technology plan -- adoption.** The legislative branch information technology plan is a biennial plan that reflects the budget proposals for the next biennium that must be approved and adopted by the legislative council.

**5-11-406. Legislative branch systems -- conformity to standards.** Information technology systems installed by the senate, the house of representatives, and legislative branch agencies must conform to standards established by the legislative branch for the enterprise architecture in effect at the time the purchasing decision is made.

**5-11-407. Legislative branch reserve account.**

(1) There is a legislative branch reserve account in the state special revenue fund. Money may be deposited in the account through an allocation of money to the account or as provided in 17-7-304.

(2) (a) The money in the account is statutorily appropriated, as provided in 17-7-502, to the legislative services division to be used only for major legislative branch information technology projects, including the purchase of hardware, software, and consulting services for new initiatives and replacement and upgrading of existing systems.

(b) The money in the account may be expended only with the approval of the legislative council. The legislative branch information technology planning council may make recommendations to the legislative council for the use of the money in the account.

(3) The money in the account must be invested pursuant to Title 17, chapter 6. The income and earnings on the account must be deposited in the account.