

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: HB2360

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Albo

3. Committee: General Laws

4. Title: Virginia Information Technologies Agency; procurement of information technology; compliance.

5. Summary: Requires the Chief Information Officer of the Virginia Information Technologies Agency to develop policies, standards, and guidelines that require that any procurement of information technology made by the Commonwealth's executive, legislative, and judicial branches and independent agencies be made in accordance with federal laws and regulations pertaining to information security and privacy.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Indeterminate, see Item 8.

8. Fiscal Implications: The Virginia Information Technologies Agency (VITA) indicates that this legislation will require staff time to conduct a review of federal laws and regulations pertaining to information security and privacy in order to see how such laws and regulations conform to current Virginia laws and regulations. The agency does not currently have sufficient staff to conduct this review and continue active procurements, including the information technology sourcing project and would require additional staff or contractors. Once the review is complete, in instances where the federal law or regulation requires additional action or stricter standards, there will be a fiscal impact on the cost of procurements, however, that fiscal impact is currently indeterminate.

The legislation requires that any procurement of information technology be made in accordance with federal laws and regulations pertaining to information security and privacy. VITA notes that different types of data may be subject to different federal regulatory standards for information security and privacy, based on the federal agency issuing the standards. For instance, criminal justice data is typically governed by regulations issued by the Federal Bureau of Investigation, whereas tax data is typically governed by regulations issued by the Internal Revenue Service. These federal standards may conflict with each other. The bill does not stipulate which federal standards apply or which federal standards an agency would need to comply with if it does not utilize data governed by federal law or regulations.

9. Specific Agency or Political Subdivisions Affected: Virginia Information Technologies Agency, all state agencies procuring information technology

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 27, 2017
File: HB2360