

HOUSE No. 4642

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 14, 2024.

The committee on Ways and Means, to whom was referred the Bill to provide for the future information technology needs of Massachusetts (printed in House, No. 4242), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4642) [Bond Issue: General Obligation Bonds: \$1,235,000,000.00].

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4642

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to provide for the future information technology needs of Massachusetts.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the information technology and security needs of the commonwealth and deploy broadband access to the citizens of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for a program of capital investments for information technology
2 and data and cyber-security improvements to various state programs, services, agencies,
3 institutions and properties and to fund technology infrastructure, the sums set forth in sections
4 2A, 2B and 2C of this act, for the several purposes and subject to the conditions specified in this
5 act, are hereby made available through December 31, 2030, subject to the laws regulating the
6 disbursement of public funds, which sums shall be in addition to any other amounts previously
7 appropriated for these purposes; provided, that the amounts specified for a particular project may
8 be adjusted in order to facilitate projects authorized in this act.

9 SECTION 2A.

10 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

Office of the Secretary

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1790-3014 For costs associated with initiatives, projects and expenditures to make improvements to the quality, consistency, efficiency and delivery of any service or program for the benefit of the public and the interactions between residents and state agencies and instrumentalities of the commonwealth, including, but not limited to, planning and studies, the preparation of plans and specifications, purchase, procurement, acquisition, licensing and implementation of information technology, telecommunications and data-security-related equipment, hardware, software, systems, intellectual property and related projects for various state agencies of the commonwealth; provided, that for projects the secretary of administration and finance certifies to the comptroller directly or indirectly generate state revenue or budgetary savings, the comptroller shall transfer such revenue or budgetary savings to the state treasurer for payment of debt service related to those projects; provided further, that any federal reimbursement received by a state agency in connection with projects funded from this item may be retained by the state agency or the executive office of technology services and security and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this item.....\$750,000,000

1790-3015 For costs associated with initiatives, projects and expenditures to make improvements to the quality, consistency, efficiency and delivery of any service or program to support, improve, extend, secure or maintain technology or telecommunications infrastructure, including, but not limited to, planning and studies, the preparation of plans and specifications, purchase, procurement, acquisition, licensing and implementation of information technology, telecommunications and data-security-related equipment, hardware, software, systems, intellectual property and related projects for various state agencies of the commonwealth;

34 provided, that for projects the secretary of administration and finance certifies to the comptroller
35 directly or indirectly generate state revenue or budgetary savings, the comptroller shall transfer
36 such revenue or budgetary savings to the state treasurer for payment of debt service related to
37 those projects; provided further, that any federal reimbursement received by a state agency in
38 connection with projects funded from this item may be retained by the state agency or the
39 executive office of technology services and security and expended for the purposes of the
40 project, without further appropriation, in addition to the amounts appropriated in this
41 item.....\$200,000,000

42 1790-3016 For costs associated with planning and studies, the preparation of plans
43 and specifications, purchase, procurement, acquisition, licensing and implementation of
44 information technology, telecommunications and data-security-related equipment, hardware,
45 software, systems, intellectual property and related projects for various state agencies and public
46 instrumentalities of the commonwealth to mitigate, avoid or respond to risks to the security of
47 the commonwealth’s technology and telecommunications infrastructure or operations; provided,
48 that for projects the secretary of administration and finance certifies to the comptroller directly or
49 indirectly generate state revenue or budgetary savings, the comptroller shall transfer such
50 revenue or budgetary savings to the state treasurer for payment of debt service related to those
51 projects; provided further, that any federal reimbursement received by a state agency in
52 connection with projects funded from this item may be retained by the state agency or the
53 executive office of technology services and security and expended for the purposes of the
54 project, without further appropriation, in addition to the amounts appropriated in this
55 item.....\$200,000,000

56 1790-3017 For costs associated with planning and studies, the preparation of plans
57 and specifications, purchase, procurement, acquisition, licensing and implementation of
58 information technology, telecommunications and data-security-related equipment, hardware,
59 software, systems, intellectual property and related projects for various state agencies of the
60 commonwealth, including, but not limited to, executing strategic initiatives, improving business
61 intelligence and modernizing governmental functions; provided, that for projects the secretary of
62 administration and finance certifies to the comptroller directly or indirectly generate state
63 revenue or budgetary savings, the comptroller shall transfer such revenue or budgetary savings to
64 the state treasurer for payment of debt service related to those projects; provided further, that any
65 federal reimbursement received by a state agency in connection with projects funded from this
66 item may be retained by the state agency or the executive office of technology services and
67 security and expended for the purposes of the project, without further appropriation, in addition
68 to the amounts appropriated in this item.....\$250,000,000

69 SECTION 2B.

70 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

71 *Office of the Secretary*

72 1100-2519 For costs associated with initiatives, projects and expenditures to the
73 quality, efficiency and delivery of any service or program for the benefit of the public and the
74 interactions between residents and state agencies and instrumentalities of the commonwealth,
75 including, but not limited to, planning and studies, the preparation of plans and specifications,
76 purchase, procurement, acquisition, licensing and implementation of artificial intelligence and
77 machine learning systems for the various state agencies of the commonwealth; provided, that

78 such initiatives, projects and expenditures shall be in accordance with enterprise security policies
 79 and other applicable administrative directives issued under section 3 of chapter 7D of the
 80 General Laws and approved by the executive office of technology services and security;
 81 provided further, that for projects the secretary of administration and finance certifies to the
 82 comptroller directly or indirectly generate state revenue or budgetary savings, the comptroller
 83 shall transfer such revenue or budgetary savings to the state treasurer for payment of debt service
 84 related to those projects; and provided further, that any federal reimbursement received by a state
 85 agency in connection with projects funded from this item may be retained by the state agency or
 86 the executive office of technology services and security and expended for the purposes of this
 87 project, without further appropriation, in addition to the amounts appropriated in this
 88 item.....\$25,000,000

89 1599-1953 For a competitive, matching grant program to be administered by the
 90 executive office for administration and finance, in consultation with the secretary of technology
 91 services and security, to assist municipalities and tribal governments with the construction of
 92 fiber broadband infrastructure and related projects and expenditures; provided, that priority for
 93 grants shall be given to completely unserved premises\$30,000,000

94 SECTION 2C.

95 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

96 *Office of the Secretary*

97 1100-2518 For capital funding for eligible cities, towns, regional organizations whose
 98 membership is exclusively composed of municipal governments, tribes, local governmental
 99 agencies, authorities or subdivisions, quasi-state agencies, public authorities and institutions and

100 similar governmental agencies, for purposes, including, but not limited to, addressing threats to
101 information systems, managing and reducing systemic risk, improving security of critical
102 technology infrastructure and improving resilience; provided, that investments may include, but
103 shall not be limited to, planning and studies, improvement to government efficiency and
104 effectiveness, preparation of plans and specifications, asset modernization, information
105 technology equipment and technical assistance.....\$150,000,000

106 *Department of Revenue*

107 1201-0003 For the division of local services within the department of revenue, for
108 grants to carry out the community compact information technology grant program established in
109 conjunction with executive order 554.....\$25,000,000

110 LEGISLATURE

111 *House of Representatives*

112 9600-2024 For necessary information technology upgrades for the house of
113 representatives.....\$5,000,000

114 SECTION 3. Chapter 29 of the General Laws is hereby amended by inserting after
115 section 2DDDDDD the following section:-

116 Section 2EEEEEE. (a) There shall be established and set up on the books of the
117 commonwealth a separate, non-budgeted special revenue fund known as the Information
118 Technology Federal Reimbursement Fund, which shall be administered by the secretary of
119 technology services and security. The secretary shall expend money in the fund for information
120 technology projects related to the commonwealth’s health and human services. There shall be

121 credited to the fund: (i) amounts equal to any federal financial participation revenues claimed
122 and received by the commonwealth for eligible expenditures made from this fund or from
123 eligible expenditures made in direct connection with eligible expenditures made from this fund;
124 and (ii) interest earned on any money in the fund. Amounts credited to the fund shall be
125 expended without further appropriation.

126 (b) To accommodate timing discrepancies between the receipt of revenue and related
127 expenditures, the comptroller may certify for payment amounts not to exceed the most recent
128 revenue estimates as certified by the secretary to be transferred, credited or deposited under this
129 section. Money remaining in the fund at the end of a fiscal year shall not revert to the General
130 Fund and shall be available for expenditure in subsequent fiscal years.

131 SECTION 4. To meet the expenditures necessary to carry out sections 2A and 2B, the
132 state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in
133 an amount to be specified by the governor from time to time, but not exceeding, in the aggregate,
134 \$1,055,000,000. All bonds issued by the commonwealth under this section shall be designated on
135 their face, "FutureTech Act of 2024", and shall be issued for a maximum term of years, not
136 exceeding 10 years, as the governor may recommend to the general court under section 3 of
137 Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later
138 than June 30, 2039.

139 SECTION 5. To meet the expenditures necessary to carry out section 2C, the state
140 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
141 amount to be specified by the governor from time to time, but not exceeding, in the aggregate,
142 \$180,000,000. All bonds issued by the commonwealth under this section shall be designated on

143 their face, “FutureTech Act of 2024”, and shall be issued for a maximum term of years, not
144 exceeding 30 years, as the governor may recommend to the general court under section 3 of
145 Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later
146 than June 30, 2059.