

E2SSB 5662 - H COMM AMD

By Committee on Innovation, Technology & Economic Development

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 43.105.020 and 2017 c 92 s 2 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "Agency" means the consolidated technology services agency.

8 (2) "Board" means the technology services board.

9 (3) "Customer agencies" means all entities that purchase or use
10 information technology resources, telecommunications, or services
11 from the consolidated technology services agency.

12 (4) "Director" means the state chief information officer, who is
13 the director of the consolidated technology services agency.

14 (5) "Enterprise architecture" means an ongoing activity for
15 translating business vision and strategy into effective enterprise
16 change. It is a continuous activity. Enterprise architecture creates,
17 communicates, and improves the key principles and models that
18 describe the enterprise's future state and enable its evolution.

19 (6) "Equipment" means the machines, devices, and transmission
20 facilities used in information processing, including but not limited
21 to computers, terminals, telephones, wireless communications system
22 facilities, cables, and any physical facility necessary for the
23 operation of such equipment.

24 (7) "Information" includes, but is not limited to, data, text,
25 voice, and video.

26 (8) "Information security" means the protection of communication
27 and information resources from unauthorized access, use, disclosure,
28 disruption, modification, or destruction in order to:

29 (a) Prevent improper information modification or destruction;

30 (b) Preserve authorized restrictions on information access and
31 disclosure;

1 (c) Ensure timely and reliable access to and use of information;
2 and

3 (d) Maintain the confidentiality, integrity, and availability of
4 information.

5 (9) "Information technology" includes, but is not limited to, all
6 electronic technology systems and services, automated information
7 handling, system design and analysis, conversion of data, computer
8 programming, information storage and retrieval, telecommunications,
9 requisite system controls, simulation, electronic commerce, radio
10 technologies, and all related interactions between people and
11 machines.

12 (10) "Information technology portfolio" or "portfolio" means a
13 strategic management process documenting relationships between agency
14 missions and information technology and telecommunications
15 investments.

16 (11) "K-20 network" means the network established in RCW
17 43.41.391.

18 (12) "Local governments" includes all municipal and quasi-
19 municipal corporations and political subdivisions, and all agencies
20 of such corporations and subdivisions authorized to contract
21 separately.

22 (13) "Office" means the office of the state chief information
23 officer within the consolidated technology services agency.

24 (14) "Oversight" means a process of comprehensive risk analysis
25 and management designed to ensure optimum use of information
26 technology resources and telecommunications.

27 (15) "Proprietary software" means that software offered for sale
28 or license.

29 (16) "Public agency" means any agency of this state or another
30 state; any political subdivision or unit of local government of this
31 state or another state including, but not limited to, municipal
32 corporations, quasi-municipal corporations, special purpose
33 districts, and local service districts; any public benefit nonprofit
34 corporation; any agency of the United States; and any Indian tribe
35 recognized as such by the federal government.

36 (17) "Public benefit nonprofit corporation" means a public
37 benefit nonprofit corporation as defined in RCW 24.03.005 that is
38 receiving local, state, or federal funds either directly or through a
39 public agency other than an Indian tribe or political subdivision of
40 another state.

1 (18) "Public record" has the definitions in RCW 42.56.010 and
2 chapter 40.14 RCW and includes legislative records and court records
3 that are available for public inspection.

4 (19) "Public safety" refers to any entity or services that ensure
5 the welfare and protection of the public.

6 (20) "Security incident" means an accidental or deliberative
7 event that results in or constitutes an imminent threat of the
8 unauthorized access, loss, disclosure, modification, disruption, or
9 destruction of communication and information resources.

10 (21) "State agency" means every state office, department,
11 division, bureau, board, commission, or other state agency, including
12 offices headed by a statewide elected official.

13 (22) "Telecommunications" includes, but is not limited to,
14 wireless or wired systems for transport of voice, video, and data
15 communications, network systems, requisite facilities, equipment,
16 system controls, simulation, electronic commerce, and all related
17 interactions between people and machines.

18 (23) "Utility-based infrastructure services" includes personal
19 computer and portable device support, servers and server
20 administration, security administration, network administration,
21 telephony, email, and other information technology services commonly
22 used by state agencies.

23 (24) "Cloud computing" has the same meaning as provided by the
24 special publication 800-145 issued by the national institute of
25 standards and technology of the United States department of commerce
26 as of September 2011.

27 NEW SECTION. Sec. 2. A new section is added to chapter 43.105
28 RCW to read as follows:

29 (1) Prior to selecting and implementing a cloud computing
30 solution of any size, or requesting a cloud computing solution waiver
31 under RCW 43.105.375, state agencies must evaluate:

32 (a) The ability of the cloud computing solution to meet security
33 and compliance requirements for all workload types including low,
34 moderate, and high impact data, and leveraging defined federal
35 authorization or accreditation programs to the fullest extent
36 possible;

37 (b) The portability of data, should the state agency choose to
38 discontinue use of the cloud service;

1 (c) All costs related to the migration away from public
2 investments to the private sector cloud;

3 (d) The service level requirements and business requirements to
4 provide optimal public service of agency missions;

5 (e) The impact on civil service employees; and

6 (f) The rapidity of return to service from any outages and order
7 of return to service compared to other customers with the same
8 provider.

9 (2) Subject to the availability of amounts appropriated for this
10 specific purpose, the office must conduct a statewide cloud computing
11 readiness assessment to prepare for the migration of core services to
12 cloud services, including ways it can leverage cloud computing to
13 reduce costs. The assessment must:

14 (a) Inventory state agency assets, associated service contracts,
15 and other relevant information;

16 (b) Identify impacts to state agency staffing resulting from the
17 migration to cloud computing including: (i) Skill gaps between
18 current on-premises computing practices and how cloud services are
19 procured, secured, administered, maintained, and developed; and (ii)
20 necessary retraining and ongoing training and development to ensure
21 state agency staff maintain the skills necessary to effectively
22 maintain information security and understand changes to enterprise
23 architectures;

24 (c) Identify additional resources needed by the agency to enable
25 sufficient cloud migration support to state agencies; and

26 (d) Identify the impacts of cloud migration to state data center
27 investments, debt, plans, financing, space, or other legal
28 obligations.

29 (3) By June 30, 2020, the office must submit a report to the
30 governor and the appropriate committees of the legislature that
31 summarizes statewide cloud migration readiness and makes
32 recommendations for migration goals."

33 Correct the title.

EFFECT: (1) Removes the requirement for state agencies to adopt a
third-party, commercial cloud computing solution for any new
information technology of telecommunications investment.

(2) Adds additional criteria state agencies must evaluate prior
to selecting and implementing a cloud solution of any size, or
obtaining a cloud computer solution waiver, related to the: (a) Cost
of the migration to the private sector cloud; (b) necessary service

level and business requirements for the provision of public service; (c) impact on civil service employees; and (d) rapidity of return to service after an outage.

(3) Removes the requirement for state agencies to obtain a waiver for service requirements that prohibit cloud computing solutions.

(4) Removes the requirement that prohibits state agencies from installing and operating hardware.

(5) Requires the cloud computing readiness assessment to identify the impact cloud migration would have to the state data center.

(6) Removes the Department of Enterprise Services requirement to identify, with assistance from WaTech, contractors to provide clouding cloud computing services or system migration support.

(7) Restores the mandate requiring state agencies to migrate to the state data center.

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