

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3127 - 5

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Prohibits installation or download of certain covered products onto state information technology assets.

Government Unit(s) Affected:

Department of Human Services, Information Technology, Department of Emergency Management, Oregon Health Authority, Secretary of State, State Treasurer, Department of Administrative Services, Statewide

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

HB 3127 - 5 prohibits products from “covered vendors” from being installed, downloaded, used, or accessed by a state information technology asset. “State information technology asset” is defined as any form of hardware, software or service for data processing, office automation or telecommunications used directly by a state agency or used to a significant extent by a contractor in the performance of a contract with a state agency.

State agencies are to remove any prohibited products installed or downloaded onto a state information technology asset that is under the management or control of the state agency; and to implement all measures necessary to prevent the installation or download, or use or access, of a covered product onto or by a state information technology asset that is under the management or control of the state agency.

The State Chief Information Officer is to adopt rules to designate covered vendors in addition to those already outlined in the measure; and policies and standards for state agencies to implement the provisions listed above, including the time schedules for incorporating the requirements into a state agency’s information security plans, standards or measures. The measure takes effect on the 91st day after the Legislature adjourns sine die.

Most state agencies report a minimal or no fiscal impact related to this measure. Some agencies may have a greater than minimal impact based on the rulemaking done by the State Chief Information Officer, which will determine the policies and standards for state agencies to prohibit use of products from covered vendors on state information technology assets. For example, the Oregon Health Authority (OHA) and Department of Human Services (DHS) may need additional position authority depending on the standards established by the State Chief Information Officer, and whether those standards are higher than existing OHA/DHS policies to allow approved software on OHA and DHS devices.

The Oregon Department of Emergency Management (ODEM) may also need additional staffing or information technology (IT) resources to implement this measure. The agency does not currently have sufficient IT staff capacity to track hardware or software.

ODEM and/or OHA may need to return to the Legislative Emergency Board or a subsequent legislative session if budgeted resources prove insufficient to cover the actual costs of this measure.