

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 2723

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: JANUARY 12, 2022

SUMMARY

- Synopsis:** “21st Century Integrated Digital Experience Act.”
- Type of Impact:** Annual increased State cost.
- Agencies Affected:** Office of Information Technology; certain Executive Branch agencies.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) finds that the bill will result in an indeterminate increase in annual State costs. The bill authorizes the Chief Technology Officer to request that any Executive Branch agency submit an information technology modernization and improvement plan within one year of the request. The Chief Technology Officer is to review the plans that are submitted by the chosen agencies to ensure the agencies meet the requirements of the bill. This will likely increase the administrative burden on the Office of Information Technology, which will require an unknown amount of time and resources to perform the duties authorized by the bill.
- Further, the bill requires the Chief Technology Officer to evaluate annually certain emerging technologies for use by agencies to better provide public services and to maintain a set of metrics to assess each agency’s implementation of a modern digital experience. These additional responsibilities will likely further increase the administrative burden on the Office of Information Technology, and, to a lesser extent, the New Jersey Information Technology Project Review Board.
- The bill will likely cause an increase in costs for those agencies that are requested to produce a plan since they will be required to dedicate resources to designing and implementing the plan. Although an increase to State costs is projected, the size and scope of the increase is unknown since the Chief Technology Officer is authorized to use discretion in choosing which agencies

will be required to produce a plan. The number of agencies selected will have a direct impact on the realized increase in costs.

- The bill does not provide deadlines for the other provisions of the plan, including enhanced use of data analytics, enhancing the delivery of digital services, and digitizing government processes and workflows. The bill provides that the plan is to be developed within the limits of fiscal and other resources available to the agency, so the availability of these resources is likely to be a constraint upon the cost and scope of each plan.

BILL DESCRIPTION

This bill requires the Office of Information Technology and certain agencies in the Executive Branch to provide citizens with a modern, digital experience by developing agency-specific plans to update the platforms through which these agencies provide services to businesses and members of the public.

The bill authorizes the Chief Technology Officer to request that any agency submit a plan within one year of the request, and then to review the plans that are submitted by those agencies in consultation with the Chief Innovation Officer to ensure they meet the requirements of the bill. The plan is to describe how each agency will improve the provision of digital services by leveraging data analytics and related tools to ensure an effective rendering of all publicly facing websites on mobile devices, increasing the use of data analytics to improve website operation, enhancing the delivery of digital services through the adoption of commercial cloud computing services, and digitizing government processes and workflows.

The bill also requires the plan to outline a process to be utilized by each agency to ensure that its website intended for public use is mobile-friendly and accessible by persons with disabilities within one year following the submission of each agency's plan. Each agency's plan is to be developed within the limits of fiscal and other resources available. Each agency is to make its plan available to the public electronically through a link displayed on its website, except that the agency may redact such information as necessary to address cybersecurity concerns.

The bill requires the Chief Technology Officer to consult with the Chief Innovation Officer in conducting certain responsibilities. The bill adds the following responsibilities to the role of Chief Technology Officer: 1) to regularly consult with the New Jersey Information Technology Project Review Board to evaluate the feasibility of using artificial intelligence, machine learning, and commercial cloud computing, as well as other emerging technologies, by agencies to provide public services and the development of data analytics capabilities to enable data-driven policy development by agencies; and 2) to develop a process to promulgate, and update no less than every other year, a set of metrics to assess each agency's implementation of a modern digital experience. The set of metrics are to be reevaluated every three years.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that the bill will result in an indeterminate increase in annual State costs. The bill authorizes the Chief Technology Officer to request that any Executive Branch agency submit a plan within one year of the request, and then to review the plans that are submitted by those agencies in consultation with the Chief Innovation Officer to ensure they meet the requirements of the bill. Further, the bill requires the Chief Technology Officer, in consultation with the New Jersey Information Technology Project Review Board, to annually evaluate certain emerging technologies for use by agencies to better provide public services. The Chief Technology Officer is also to maintain a set of metrics to assess each agency's implementation of a modern digital experience. These responsibilities will likely increase the administrative burden of the Office of Information Technology, and to a lesser extent, the New Jersey Information Technology Project Review Board. The OLS lacks sufficient knowledge of the administrative costs associated with these responsibilities, thus the increase in State expenditures in a given year is unknown.

The cost to the agencies chosen by the Office of Information Technology to develop and implement a plan pursuant to the bill is not presently known due to a lack of information about how the agencies will develop these plans and what those plans will ultimately entail. Although an increase to State costs is projected, the size and scope of the increase is unknown since the Chief Technology Officer is authorized to use discretion in choosing which agencies will be required to produce a plan. The number of agencies selected will have a direct impact on the realized increase in costs.

The bill does not provide deadlines for the other provisions of the plan, including enhanced use of data analytics, enhancing the delivery of digital services through the adoption of commercial cloud computing services, and digitizing government processes and workflows. As a result, these more substantive changes to agency operations may take place over a longer time period.

The bill also provides that the plan is to be developed within the limits of fiscal and other resources available to the agency. The availability of resources is likely to be a constraint upon the cost and scope of the plan, and the bill does not directly provide any resources to the agencies to accomplish the bill's objectives.

Section: Authorities, Utilities, Transportation and Communications

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).