



SPONSOR: Rep. Dorsey Walker & Sen. Hoffner  
Reps. Collins, K. Johnson, Parker Selby, Spiegelman;  
Sens. Gay, Huxtable, Pettyjohn, Richardson

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 366

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TECHNOLOGY INVESTMENT COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 9003C, Title 29 of the Delaware Code by making deletions as shown by strike through and  
2       insertions as shown by underline as follows:

3           § 9003C. Definitions.

4           For the purposes of this chapter:

5           (3) ~~“Council” means Technology Investment Council.~~ [Repealed.]

6           Section 2. Amend § 9004C, Title 29 of the Delaware Code by making deletions as shown by strike through and  
7       insertions as shown by underline as follows:

8           § 9004C. General powers, duties and functions of the Department.

9           The Department, with the approval of the CIO, may enter into contracts with private entities to perform any of its  
10       enumerated duties that can be more efficiently performed in such manner. In addition, the Department of Technology and  
11       Information shall have the following powers, duties and functions:

12           (2) Create, implement, and enforce statewide and agency technology solutions, policies, standards and  
13       guidelines, including as recommended by ~~the Technology Investment Council on an ongoing basis and~~ the CIO;

14           (13) ~~Provide staff support to the Technology Investment Council;~~ [Repealed.]

15           Section 3. Amend § 9013C, Title 29 of the Delaware Code by making deletions as shown by strike through and  
16       insertions as shown by underline as follows:

17           § 9013C. Technology Investment Council. [Repealed.]

18           (a) ~~The Technology Investment Council (“Council”) consists of 9 members as follows:~~

19           (1) ~~The Chief Information Officer, who serves as Chair of the Council.~~

20           (2) ~~The Chief Justice of the Supreme Court.~~

21           (3) ~~The Controller General.~~

22           (4) ~~The Secretary of Finance.~~

(5) The Director of the Office of Management and Budget.

(6) 4 Cabinet level members appointed by the Governor.

(b) Members serving by virtue of position may appoint their deputy or equivalent position to serve in their stead and at their pleasure.

(c) The Council shall meet at least quarterly. A majority of members must be present at a Council meeting in order to have quorum and conduct official business. A vacant position is not counted for purposes of quorum.

(d) The Council may establish subcommittees as necessary to carry out business, responsibilities, or assigned projects. Noncommittee members may participate in subcommittee meetings and work. The subcommittee members may reach out for assistance as needed to accomplish the assigned project.

(e) The Department, through the Chief Information Officer, shall provide reasonable staff support to assist the Council in performing its duties under this title.

Section 4. Amend § 9014C, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9014C. Duties of the Technology Investment Council. [Repealed.]

The duties of the Council are as follows:

(1), (2) [Repealed.]

(3) By November 15 of each year, the Council shall make recommendations to the Director of the Office of Management and Budget regarding the funding of technology for the coming fiscal year. Prior to making its recommendations, the Council shall confer with the Director of the Office of Management and Budget regarding the demands placed upon the state budget by nontechnology funding needs.

(4) Forward funding recommendations made under paragraph (3) of this section to the Governor in their entirety.

(5) Enforce active project management; review the progress of current projects to determine if the projects are on budget and have met project milestones; and, when necessary, recommend the termination of projects.

(6) [Repealed.]

(7) Identify opportunities to leverage expertise in strategically important areas of information technology by partnering with private sector entities.

#### SYNOPSIS

This Act sunsets the Technology Investment Council ("TIC"). The Joint Legislative Oversight and Sunset Committee ("JLOSC") reviewed TIC in 2022 and, as a result of the review, JLOSC sponsored House Bill No. 357 of the 151st General Assembly. HB 357 updated TIC's statute to streamline operations and prevent redundancies. In February 2024, TIC submitted a memorandum to JLOSC, explaining all of the following:

- Redundancies with other State boards or committees, procedures, and efficiencies remain. And, ensuring that TIC has a quorum to conduct business during meetings continues to be a challenge.
- Six of the 9 TIC members also serve on the Government Efficiency and Accountability Review ("GEAR") Board, including the Chief Justice, Director of the Office of Management and Budget, Secretary of Finance, Secretary of the Department of Health and Social Services, the Controller General, and the Chief Information Officer of the Department of Technology and Information ("DTI").
- GEAR has a subcommittee specifically dedicated to IT efficiency and releases an annual report detailing the progress in this focus area.
- TIC convened only once in 2023.
- TIC's goals are achieved through DTI processes and collaboration with agencies, OMB, and GEAR.
- With no objection from TIC members, DTI requested that JLOSC support the sunseting of TIC.

For these reasons, the Technology Investment Council is sunsetted under this Act.