



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0893/P2
TKK:cjs:rs

DOA:.....Bong, BB0306 - Information Technology Service Fees

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill authorizes DOA to charge an individual for the costs of providing access to certain information technology or telecommunications services developed, operated or maintained by DOA to that individual.

The bill withholds from the right of public inspection under the Open Records Law information provided by individuals to DOA for the purposes of processing.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 16.974 (2) of the statutes is amended to read:

16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with any agency, any authority, any unit of the federal government, any local

governmental unit, any entity in the private sector, any individual, or any tribal school, as defined in s. 115.001 (15m), to provide services authorized to be provided by the department to that agency, authority, unit, entity, individual, or tribal school at a cost specified in the agreement.

SECTION 2. 16.974 (3) of the statutes is amended to read:

16.974 (3) Develop or operate and maintain any system or device facilitating Internet or telephone access to information about programs of agencies, authorities, local governmental units, entities in the private sector, individuals, or any tribal schools, as defined in s. 115.001 (15m), or otherwise permitting the transaction of business by agencies, authorities, local governmental units, entities in the private sector, individuals, or tribal schools by means of electronic communication. The department may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of systems or devices relating to information technology or telecommunications that are developed, operated, or maintained under this subsection in accordance with a methodology determined by the department. The department may also charge any agency, authority, local governmental unit, entity in the private sector, individual, or tribal school for such costs as a component of any services provided by the department to that agency, authority, local governmental unit, entity, individual, or tribal school.

SECTION 3. 16.975 of the statutes is amended to read:

16.975 Access to information. The department shall withhold from access under s. 19.35 (1) all information submitted to the department by agencies, authorities, units of the federal government, local governmental units ~~or~~, entities in the private sector, or individuals for the purpose of processing. The department may not process such information without the consent of the agency, authority, unit ~~or~~

~~other, entity, or individual~~ which submitted the information and may not withhold such information from the agency, authority, unit ~~or other, entity, or individual~~ or from any other person authorized by the agency, authority, unit ~~or, entity, or individual~~ to have access to the information. The agency, authority, unit ~~or other, entity, or individual~~ submitting the information remains the custodian of the information while it is in the custody of the department and access to such information by that agency, authority, unit ~~or, entity, or individual~~ or any other person shall be determined by that agency, authority, unit ~~or other, entity, or individual~~ and in accordance with law.

(END)