

Introduced by

1 A BILL for an Act to amend and reenact section 54-44.6-01, subsection 4 of section 54-59-05,  
2 and sections 54-59-11 and 54-59-14 of the North Dakota Century Code, relating to forms  
3 management, the powers and duties of the information technology department, information  
4 technology plans, and the information technology operating account; and to repeal section  
5 54-59-07 of the North Dakota Century Code, relating to the state information technology  
6 advisory committee.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 54-44.6-01 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **54-44.6-01. Declaration of legislative intent.** The legislative assembly finds and  
11 declares that there is a need to minimize the governmental paperwork burden for state and  
12 local government entities, individuals, businesses, and others; that the costs of collecting,  
13 maintaining, using, and disseminating information are constantly escalating due to the  
14 increasingly voluminous and complex nature of state statutes and regulations; that there is a  
15 need to coordinate, integrate, and to the extent practicable and appropriate, make uniform the  
16 information policies and practices in North Dakota; and that the governmental paperwork  
17 burden can best be eased by establishing a statewide forms management program within the  
18 ~~office of management and budget~~ information technology department.

19 **SECTION 2. AMENDMENT.** Subsection 4 of section 54-59-05 of the North Dakota  
20 Century Code is amended and reenacted as follows:

21 4. May purchase, finance the purchase, or lease equipment ~~or~~ software, or  
22 implementation services or replace, including by trade or resale, equipment or  
23 software as may be necessary to carry out this chapter. ~~An agreement to finance~~  
24 ~~the purchase of software, equipment, or implementation services may not exceed a~~

~~period of three years.~~ The department shall submit any intended financing proposal for the purchase of software, equipment, or implementation services under this subsection, which is in excess of one million dollars, to the budget section of the legislative council before executing a financing agreement. If the budget section does not approve the execution of a financing agreement, the department may not proceed with the proposed financing arrangement. ~~The department may finance the purchase of software, equipment, or implementation services only to the extent the purchase amount does not exceed the amount appropriated to the department during that biennium for equipment.~~ Each executive branch agency or institution, except the institutions under the control of the board of higher education, shall submit to the department, in accordance with guidelines established by the department, a written request for the lease, purchase, or other contractual acquisition of information technology. The department shall review requests for conformance with the requesting entity's information technology plan and compliance with statewide policies and standards. If the request is not in conformance or compliance, the department may disapprove the request or require justification for the departure from the plan or statewide policy or standard.

**SECTION 3. AMENDMENT.** Section 54-59-11 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-11. Information technology plans.** Each executive branch state agency or institution, including the institutions under the control of the board of higher education, shall prepare an information technology plan, subject to approval by the department. The plan must be submitted to the department by ~~March~~ July fifteenth of each even-numbered year. The plan must be prepared based on guidelines developed by the department; must provide the information technology goals, objectives, and activities of the entity for the current biennium and the next two bienniums; and must include information regarding the information technology assets owned, leased, or employed by the entity. Each entity required to file a plan shall provide interim updates to its plan if major information technology changes occur which affect its plan. The department shall review each entity's plan for compliance with statewide information technology policies and standards and may require an entity to change its plan to

1 comply with statewide policies or standards or to resolve conflicting directions among plans.  
2 Agencies of the judicial and legislative branches shall file their information technology plans  
3 with the department by ~~March~~ July fifteenth of each even-numbered year. Each state entity  
4 shall prepare its budget request for the next biennium based on its information technology plan.  
5 The agency's budget request and the governor's budget recommendation must include  
6 supporting information describing in detail how the information technology plan relates to the  
7 budget request and recommendation. Any budget adjustment by the budget office must include  
8 the corresponding change to the plan. Based on the plans, the department shall prepare a  
9 statewide information technology plan and distribute copies of that plan to members of the  
10 legislative assembly as requested by the legislative council or its designee. The statewide  
11 information technology plan must be developed with emphasis on long-term strategic goals and  
12 objectives.

13       **SECTION 4. AMENDMENT.** Section 54-59-14 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15       **54-59-14. Information technology operating account.** The department shall  
16 establish a state information technology operating account in the state treasury to be used, in  
17 accordance with legislative appropriation, for procuring and maintaining information technology,  
18 and network services, ~~and central microfilm unit equipment and supplies,~~ and for providing  
19 information technology, network services, and central microfilm unit services to state entities  
20 and network services to users of the state network. Unless exempted by law, each agency or  
21 institution provided with information technology or network services shall pay to the department  
22 the charges as determined by the department. The department shall deposit the amounts  
23 received in the information technology operating account or the information technology  
24 development account, as appropriate.

25       **SECTION 5. REPEAL.** Section 54-59-07 of the North Dakota Century Code is  
26 repealed.