

Fifty-ninth
Legislative Assembly
of North Dakota

Introduced by

Legislative Council

Information Technology Committee

1 A BILL for an Act to amend and reenact section 54-35-15.2, subsection 7 of section 54-59-05,
2 and sections 54-59-11, and 54-59-19 of the North Dakota Century Code, relating to the powers
3 and duties of the information technology committee, the powers and duties of the information
4 technology department, information technology plans, and the information technology
5 department annual report.

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

7 **SECTION 1. AMENDMENT.** Section 54-35-15.2 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **54-35-15.2. Information technology committee - Powers and duties.** The
10 information technology committee has continuing existence and may meet and conduct its
11 business during the legislative session and in the interim between sessions. The committee
12 shall:

- 13 1. Meet at least once each calendar quarter.
- 14 2. Receive a report from the chief information officer of the state at each meeting.
- 15 3. Review the business plan of the information technology department.
- 16 4. ~~Address~~ Review macro-level ~~questions~~ issues relating to the information
17 technology department.
- 18 5. Review the activities of the information technology department.
- 19 6. Review statewide information technology standards.
- 20 7. Review the statewide information technology plan.
- 21 8. ~~Conduct studies of~~ Review information technology efficiency and security.
- 22 9. ~~Make recommendations regarding~~ Review established or proposed information
23 technology programs and information technology acquisition by the executive and
24 judicial branches.

10. Except as provided in subsection 11, receive and review the information, including cost-benefit analysis of, schedule, and cost information, from the information technology department regarding any major information technology project of an executive or judicial branch agency. A major project is a project with a cost of two hundred fifty thousand dollars or more in one biennium or a total cost of five hundred thousand dollars or more.

11. ~~Review the~~ Receive and review information, including cost-benefit analysis of, schedule, and cost information, from the information technology department regarding any major project of the state board of higher education or any institution under the control of the state board of higher education if the project:

- a. Significantly impacts the statewide wide area network, including the campus access routers;
- b. Impacts the statewide library system; or
- c. Is an administrative project. An administrative project is a project that directly collects, aggregates, modifies, stores, or reports institutional student, financial, or human resources records or data and is provided primarily for administrative purposes.

12. ~~Perform periodic reviews to ensure that a major information technology project is on its projected schedule and within its cost projections.~~

SECTION 2. AMENDMENT. Subsection 7 of section 54-59-05 of the North Dakota Century Code is amended and reenacted as follows:

7. ~~Shall request and review information on or review information technology, applications, system development projects, and application development projects of executive branch agencies , including cost-benefit analysis, schedule, and cost information, regarding any major information technology project of an executive or judicial branch agency, the state board of higher education, or any institution under the control of the state board of higher education as defined in 54-35-15.2. The department shall present the information to the information technology committee as requested by the committee..~~

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

1 **54-59-11. Information technology plans.** Each executive branch state agency or
2 institution, including the institutions under the control of the board of higher education, shall
3 prepare an information technology plan, subject to ~~approval~~ acceptance by the department.
4 The plan must be submitted to the department by July fifteenth of each even-numbered year.
5 The plan must be prepared based on guidelines developed by the department; must provide the
6 information technology goals, objectives, and activities of the entity for the current biennium and
7 the next two bienniums; and must include ~~information regarding an asset management plan~~
8 relating to the inventory of information technology assets owned, leased, or employed by the
9 entity. Each entity required to file a plan shall provide interim updates to its plan if major
10 information technology changes occur which affect its plan. The department shall review each
11 entity's plan for compliance with statewide information technology policies and standards and
12 may require an entity to change its plan to comply with statewide policies or standards or to
13 resolve conflicting directions among plans. Agencies of the judicial and legislative branches
14 shall file their information technology plans with the department by July fifteenth of each
15 even-numbered year. Each state entity shall prepare its budget request for the next biennium
16 based on its information technology plan. The agency's budget request and the governor's
17 budget recommendation must include supporting information describing in detail how the
18 information technology plan relates to the budget request and recommendation. Any budget
19 adjustment by the budget office must include the corresponding change to the plan. Based on
20 the plans, the department shall prepare a statewide information technology plan and distribute
21 copies of that plan to members of the legislative assembly as requested by the legislative
22 council or its designee. The statewide information technology plan must be developed with
23 emphasis on long-term strategic goals ~~and~~ objectives, and accomplishments. The statewide
24 information technology plan must contain:

- 25 1. A list of major projects started, ongoing, and completed during the year including
26 related budgeted and actual costs and the estimated implementation date for each
27 project as well as the actual implementation date for completed projects.
- 28 2. Information regarding evaluations of cost-benefit analyses for completed projects.
- 29 3. Information regarding the information technology plans including the department's
30 plan review process, the number of plans reviewed, and the number of plans
31 accepted.

- 1 4. A description of the benefits to the state resulting from its investment in information
2 technology.

3 **SECTION 4. AMENDMENT.** Section 54-59-19 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **54-59-19. Information technology department annual report.** The department shall
6 prepare and present an annual report to the information technology committee. In addition to
7 the presentation of the annual report to the information technology committee, the department
8 shall present a summary of the annual report to the budget section and to the legislative audit
9 and fiscal review committee. The report must contain:

- 10 1. ~~A list of major projects started, ongoing, and completed during the year including~~
11 ~~related budgeted and actual costs and the estimated implementation date for each~~
12 ~~project as well as the actual implementation date for completed projects.~~
13 2. A list of all projects for which financing agreements have been executed.
14 3. ~~Information regarding evaluations of cost-benefit analyses for completed projects.~~
15 4. 2. A comparison of the department's rates charged for services compared to rates
16 charged for comparable services in other states and in the private sector.
17 5. ~~Information regarding the information technology plans including the department's~~
18 ~~plan review process, the number of plans reviewed, and the number of plans~~
19 ~~approved.~~
20 6. ~~A description of the benefits to the state resulting from its investment in information~~
21 ~~technology.~~
22 3. Information regarding the delivery of consolidated services to agencies, including
23 service dependability, agency complaints, and information technology department
24 responsiveness.