

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1275

Introduced by

Representatives Skarphol, Glassheim, Svedjan

Senators Andrist, Seymour, Wardner

1 A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota
2 Century Code, relating to executive branch, legislative branch, and judicial branch reporting of
3 information technology projects to the information technology advisory committee; and to
4 amend and reenact section 54-59-07 of the North Dakota Century Code, relating to the state
5 information technology advisory committee.

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

7 **SECTION 1. AMENDMENT.** Section 54-59-07 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **54-59-07. State information technology advisory committee.** The state information
10 technology advisory committee consists of the chief information officer; the commissioner of
11 higher education or the commissioner's designee; the attorney general or the attorney general's
12 designee; the secretary of state or the secretary of state's designee; the tax commissioner or
13 the commissioner's designee; the chief justice of the supreme court or the chief justice's
14 designee; two members of the legislative assembly appointed by the legislative council; a
15 minimum of eight members representing state agencies, appointed by the governor; and two
16 members with technology management expertise representing private industry, appointed by
17 the governor. The appointees of the governor serve at the pleasure of the governor. The
18 governor shall designate the chairman of the committee. Additional members may be asked to
19 participate at the request of the chairman. The department shall provide staff services to the
20 committee. The members of the committee representing private industry are entitled to be
21 compensated for time spent in attendance at meetings of the committee and for other travel as
22 approved by the chairman of the committee at the rate of sixty-two dollars and fifty cents per
23 day and are entitled to reimbursement for actual and necessary expenses incurred in the same
24 manner as other state officials. The compensation and expenses are to be paid from

1 appropriations for the department. The committee shall advise the department regarding
2 statewide information technology planning and budgeting, services of the information
3 technology department, and statewide information technology initiatives and policy and shall
4 review reports on major information technology projects as required by this chapter.

5 **SECTION 2.** A new section to chapter 54-59 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Information technology projects - Reports.**

- 8 1. An executive, legislative, or judicial branch agency, except for institutions under
9 the control of the state board of higher education, shall report to the state
10 information technology advisory committee according to guidelines developed by
11 the department and reviewed by the state information technology advisory
12 committee regarding the plan for and status of any software development or
13 implementation project that is estimated to cost more than two hundred fifty
14 thousand dollars.
- 15 2. During the life of the project, the agency shall notify the state information
16 technology advisory committee if:
- 17 a. At a project milestone, the amount expended on project costs exceeds the
18 planned budget for that milestone by twenty percent or more; or
19 b. At a project milestone, the project schedule extends beyond the planned
20 schedule to attain that milestone by twenty percent or more.
- 21 3. A report under subsection 2 must specify corrective measures being undertaken to
22 address any cost or time of completion issue. If the agency has not taken
23 adequate corrective measures within ninety days after the report, the agency shall
24 submit a report to the legislative council's information technology committee
25 regarding the project.
- 26 4. Upon completion of the project, the agency shall notify the state information
27 technology advisory committee if:
- 28 a. The budget for the project exceeded the original budget by twenty percent or
29 more; or
30 b. The final project completion date extended beyond the original project
31 scheduled completion date by twenty percent or more.