

**FIRST ENGROSSMENT  
with Conference Committee Amendments****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 information technology project  
13 that is estimated to cost more than two hundred fifty thousand dollars.

14 2. During the life of the project, the agency shall notify the state information  
15 technology advisory committee if:

16 a. At a project milestone, the amount expended on project costs exceeds the  
17 planned budget for that milestone by twenty percent or more; or

18 b. At a project milestone, the project schedule extends beyond the planned  
19 schedule to attain that milestone by twenty percent or more.

20 3. A report under subsection 2 must specify corrective measures being undertaken to  
21 address any cost or time of completion issue. If the agency has not taken  
22 adequate corrective measures within ninety days after the report, the agency shall  
23 submit a report to the legislative council's information technology committee  
24 regarding the project.

25 4. Upon completion of the project, the agency shall notify the state information  
26 technology advisory committee if:

27 a. The budget for the project exceeded the original budget by twenty percent or  
28 more; or

29 b. The final project completion date extended beyond the original project  
30 scheduled completion date by twenty percent or more.