

HOUSE BILL NO. 1074

Introduced by

Appropriations Committee

(At the request of the State Auditor)

1 A BILL for an Act to create and enact a new section to chapter 54-10 of the North Dakota
2 Century Code, relating to audits of computer systems by the state auditor.

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

4 **SECTION 1.** A new section to chapter 54-10 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Audits of computer systems.** The state auditor may:

- 7 1. Pursuant to the powers and duties outlined in this chapter, conduct a review and
8 assessment of computer systems and related security systems. Computer
9 systems subject to this section include the computer systems of a state agency or
10 political subdivision that is subject to audit by the state auditor. Tests conducted in
11 connection with this review and assessment may include an assessment of system
12 vulnerability, network penetration, potential security breach, and susceptibility to
13 cyber attack or cyber fraud.
- 14 2. At the state auditor's discretion, disclose any findings to the chief information
15 officer of the state or to any state official or legislative committee. Working papers
16 and preliminary drafts of reports created in connection with the review of computer
17 systems and the security of the systems are exempt from section 44-04-18. Those
18 parts of findings and working papers that identify the methods of the state auditor
19 or that may cause or perpetuate vulnerability of the computer system reviewed are
20 exempt from section 44-04-18 and protected from disclosure until the state auditor
21 directs otherwise.
- 22 3. Procure the services of a specialist in information security systems or other
23 contractors deemed necessary in conducting a review under this section. The
24 procurement of these services is exempt from the requirements of chapter 54-44.4.

- 1 An outside contractor hired to provide services in the review of the security of a computer
- 2 system is subject to the confidentiality provisions of this section and section 44-04-27.