

TESTIMONY OF

**Chad Keech, State Procurement Officer, Shared Services Division**

Good afternoon, Chairman Beard and members of the Senate Education committee. My name is Chad Keech, State Procurement Officer within the Office of Management and Budget (OMB).

OMB supports HB 1269 and appreciates the opportunity to collaborate on the amendment with the bill sponsor, Rep. Schreiber-Beck, Dr. Martin of the Center for Distance Education (CDE), and the North Dakota Information Technology Department (NDIT).

In 2013, OMB granted the CDE a procurement exemption for curriculum. At that time, curriculum was copyrighted printed materials. In the fall of 2024, CDE and OMB realized that the exemption was outdated. Courses are now virtual with online content. This bill moves the exemption for the CDE into law and modernizes the language.

Section 1 of the engrossed bill amends state procurement law, N.D.C.C. chapter 54-44.4, to exempt the CDE from procurement requirements for technology and educational content to deliver education virtually. The House amendment was needed because the bill as introduced would have broadly exempted CDE from all technology requirements. The engrossed bill creates a specific procurement exemption for "education content, educational technology tools, and related services."

HB 1122, which has already passed the House & Senate, also amends this section of procurement law to make it clear that an exemption from procurement competition requirements does not create an exemption from state laws related to information technology in N.D.C.C. chapter 54-59 and related information technology standards.

Section 2 of the engrossed bill creates an exemption from forms management requirements for the CDE. The original language amended the CDE law, N.D.C.C. chapter 15-19. The House amendment was needed to move the exemption into the Forms Management law, N.D.C.C. chapter 54-44.6. The engrossed bill amends the definition of agency to exclude the CDE which effectively exempts them from forms management requirements.

The engrossed bill streamlines processes to enable the CDE to select curriculum and technology tools needed to delivery online courses while ensuring compliance with state IT requirements.

Mr. Chairman and committee members, this concludes my testimony. I ask your support for HB 1269 with the proposed amendment. I would be happy to answer any questions.