

January 28, 1997

PROPOSED AMENDMENTS TO SENATE BILL NO. 2091

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 44-04-18.5 of the North Dakota Century Code, relating to open records exemptions for computer software programs developed by a state agency and authorizing agreements for licensing of computer software programs; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 44-04-18.5 of the North Dakota Century Code is amended and reenacted as follows:

44-04-18.5. Confidentiality of computer ~~Computer software programs~~ exempt. Any computer software program or component of a computer software program developed or acquired by a state agency, institution, department, or board and for which ~~any~~ the state agency, institution, department, or board acquires a license, copyright, or a patent is ~~confidential~~ exempt from section 44-04-18 and section 6 of article VI of the Constitution of North Dakota. After receiving written approval from the governor, a state agency, institution, department, or board may enter into agreements for the sale, licensing, and distribution of its contracted, licensed, patented, or copyrighted computer software programs; take any needed action, including legal action, to protect the state's interest in the computer software against improper or unlawful use or infringement; and collect and enforce the collection of any sums due for the licensing or sale of the computer software.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly