

Introduced by

1 A BILL for an Act to amend and reenact section 54-35-15.2, subsection 8 of section 54-59-05,  
2 and section 54-59-23 of the North Dakota Century Code, relating to the definition of a large  
3 information technology project.

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

5 **SECTION 1. AMENDMENT.** Section 54-35-15.2 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **54-35-15.2. Information technology committee - Powers and duties.**

8 The information technology committee has continuing existence and may meet and conduct  
9 its business during the legislative session and in the interim between sessions. The committee  
10 shall:

- 11 1. Meet at least once each calendar quarter.
- 12 2. Receive a report from the chief information officer of the state at each meeting.
- 13 3. Review the business plan of the information technology department.
- 14 4. Review macro-level issues relating to information technology.
- 15 5. Review the activities of the information technology department.
- 16 6. Review statewide information technology standards.
- 17 7. Review the statewide information technology plan.
- 18 8. Review information technology efficiency and security.
- 19 9. Review established or proposed information technology programs and information  
20 technology acquisition by the executive and judicial branches.
- 21 10. Except as provided in subsection 11, receive and review information, including a  
22 project startup report summarizing the project description, project objectives, business  
23 need or problem, cost-benefit analysis, and project risks and a project closeout report  
24 summarizing the project objectives achieved, project budget and schedule variances,

1 and lessons learned, from the information technology department and the affected  
2 agency regarding any major information technology project of an executive branch  
3 agency. For the purposes of this subsection, a major project is a project with a total  
4 cost of ~~two~~five hundred ~~fifty~~ thousand dollars or more.

- 5 11. a. Receive and review information, including a project startup report summarizing  
6 the project description, project objectives, business need or problem, cost-benefit  
7 analysis, and project risks and a project closeout report summarizing the project  
8 objectives achieved, project budget and schedule variances, and lessons  
9 learned, from the information technology department and the affected institution  
10 regarding any major project of the state board of higher education or any  
11 institution under the control of the state board of higher education if the project:

- 12 (1) Significantly impacts the statewide wide area network, including the campus  
13 access routers;  
14 (2) Impacts the statewide library system; or  
15 (3) Is an administrative project. An administrative project is a project that  
16 directly collects, aggregates, modifies, stores, or reports institutional  
17 student, financial, or human resources records or data and is provided  
18 primarily for administrative purposes.

- 19 b. For the purposes of this subsection, a major project is a project with ~~a cost of two~~  
20 ~~hundred fifty thousand dollars or more in one biennium~~ or a total cost of five  
21 hundred thousand dollars or more.

- 22 12. Receive and review information from the information technology department and the  
23 affected agency regarding any information technology project of an executive branch  
24 agency with a total cost of between one hundred thousand and ~~two~~five hundred ~~fifty~~  
25 thousand dollars as determined necessary by the information technology department.

- 26 13. Receive a report from the chief information officer regarding the recommendations of  
27 the state information technology advisory committee relating to the prioritization of  
28 proposed major information technology projects and other information technology  
29 issues.

- 30 14. Receive and review information, including a project startup report summarizing the  
31 project description, project objectives, business need or problem, cost-benefit

1 analysis, and project risks and a project closeout report summarizing the project  
2 objectives achieved, project budget and schedule variances, and lessons learned,  
3 from the affected legislative or judicial branch agency regarding any information  
4 technology project of the legislative or judicial branch with a total cost of ~~two~~five  
5 hundred ~~ifty~~ thousand dollars or more.

6 15. Receive information from the state board of higher education regarding higher  
7 education information technology planning, services, and major projects.

8 **SECTION 2. AMENDMENT.** Subsection 8 of section 54-59-05 of the North Dakota Century  
9 Code is amended and reenacted as follows:

10 8. May request and review information regarding any information technology project of  
11 an executive branch agency with a total cost of between one hundred thousand and  
12 ~~two~~five hundred ~~ifty~~ thousand dollars as determined necessary by the department.

13 The department shall present the information to the information technology committee  
14 on request of the committee.

15 **SECTION 3. AMENDMENT.** Section 54-59-23 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **54-59-23. Information technology projects - Reports.**

18 1. An executive, legislative, or judicial branch agency, except for institutions under the  
19 control of the state board of higher education, shall report to the state information  
20 technology advisory committee according to guidelines developed by the department  
21 and reviewed by the state information technology advisory committee regarding the  
22 plan for and status of any information technology project that is estimated to cost more  
23 than ~~two~~five hundred ~~ifty~~ thousand dollars.

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

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

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

30 3. A report under subsection 2 must specify corrective measures being undertaken to  
31 address any cost or time of completion issue. If the agency has not taken adequate

- 1           corrective measures within ninety days after the report, the agency shall submit a  
2           report to the legislative management's information technology committee regarding the  
3           project.
- 4        4. Upon completion of the project, the agency shall notify the state information  
5           technology advisory committee if:
- 6           a. The budget for the project exceeded the original budget by twenty percent or  
7           more; or
- 8           b. The final project completion date extended beyond the original project scheduled  
9           completion date by twenty percent or more.