

Introduced by

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 centralized desktop support services; and to amend and reenact  
3 section 54-59-05 of the North Dakota Century Code, relating to the powers and duties of the  
4 information technology department.

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

6 **SECTION 1.** A new section to chapter 54-59 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Required use of centralized desktop support services.**

9 Each state agency shall obtain centralized desktop support services from the information  
10 technology department, excluding the legislative and judicial branches, the institutions under the  
11 control of the state board of higher education, and the following:

- 12 1. Attorney general;
- 13 2. Tax commissioner;
- 14 3. North Dakota vision services - school for the blind;
- 15 4. State department of health;
- 16 5. Veterans' home;
- 17 6. Department of human services;
- 18 7. Industrial commission;
- 19 8. Public service commission;
- 20 9. Housing finance agency;
- 21 10. Mill and elevator association;
- 22 11. Workforce safety and insurance;
- 23 12. Highway patrol;
- 24 13. State radio;

1        14. Department of emergency services;

2        15. Department of corrections and rehabilitation;

3        16. Adjutant general;

4        17. Game and fish department;

5        18. State water commission; and

6        19. Department of transportation.

7        The office of management and budget, after receiving advice from the information technology  
8        department, shall establish policies and guidelines for the delivery of desktop support services,  
9        including the transition from existing systems to functional consolidation, with consideration  
10       given to the creation of efficiencies, cost-savings, and improved quality of service. For purposes  
11       of this section, "desktop support services" means technical assistance and device management  
12       relating to the use of personal computers and peripheral devices.

13        **SECTION 2. AMENDMENT.** Section 54-59-05 of the North Dakota Century Code is  
14        amended and reenacted as follows:

15        **54-59-05. Powers and duties of department.**

16        The department:

- 17        1. Shall provide, supervise, and regulate information technology of all executive branch  
18               state entities, excluding the institutions under the control of the board of higher  
19               education.
- 20        2. Shall provide network services in a way that ensures the network requirements of a  
21               single entity do not adversely affect the functionality of the whole network, facilitates  
22               open communications with the citizens of the state, minimizes the state's investment in  
23               human resources, accommodates an ever-increasing amount of traffic, supports rapid  
24               detection and resolution of problems, protects the network infrastructure from damage  
25               and security breaches, provides for the aggregation of data, voice, video, and  
26               multimedia into a statewide transport mechanism or backbone, and provides for the  
27               network support for the entity to carry out its mission.
- 28        3. May review and approve additional network services that are not provided by the  
29               department.
- 30        4. May purchase, finance the purchase, or lease equipment, software, or implementation  
31               services or replace, including by trade or resale, equipment or software as may be

1 necessary to carry out this chapter. An agreement to finance the purchase of software,  
2 equipment, or implementation services may not exceed a period of five years. The  
3 department shall submit any intended financing proposal for the purchase of software,  
4 equipment, or implementation services under this subsection, which is in excess of  
5 one million dollars, to the budget section of the legislative management or the  
6 legislative assembly before executing a financing agreement. If the budget section or  
7 the legislative assembly does not approve the execution of a financing agreement, the  
8 department may not proceed with the proposed financing arrangement. The  
9 department may finance the purchase of software, equipment, or implementation  
10 services only to the extent the purchase amount does not exceed seven and one-half  
11 percent of the amount appropriated to the department during that biennium.

12 5. Shall review requests for lease, purchase, or other contractual acquisition of  
13 information technology as required by this subsection. Each executive branch agency  
14 or institution, excluding the institutions under the control of the board of higher  
15 education, shall submit to the department, in accordance with guidelines established  
16 by the department, a written request for the lease, purchase, or other contractual  
17 acquisition of information technology. The department shall review requests for  
18 conformance with the requesting entity's information technology plan and compliance  
19 with statewide policies and standards. If the request is not in conformance or  
20 compliance, the department may disapprove the request or require justification for the  
21 departure from the plan or statewide policy or standard.

22 6. Shall provide information technology, including assistance and advisory service, to the  
23 executive, legislative, and judicial branches. If the department is unable to fulfill a  
24 request for service from the legislative or judicial branch, the information technology  
25 may be procured by the legislative or judicial branch within the limits of legislative  
26 appropriations.

27 7. Shall request and review information, including project startup information  
28 summarizing the project description, project objectives, business need or problem,  
29 cost-benefit analysis, and project risks and a project closeout information summarizing  
30 the project objectives achieved, project budget and schedule variances, and lessons  
31 learned, regarding any major information technology project of an executive branch

1 agency. The department shall present the information to the information technology  
2 committee on request of the committee.

3 8. May request and review information regarding any information technology project of  
4 an executive branch agency with a total cost of between one hundred thousand and  
5 five hundred thousand dollars as determined necessary by the department. The  
6 department shall present the information to the information technology committee on  
7 request of the committee.

8 9. Shall study emerging technology and evaluate its impact on the state's system of  
9 information technology.

10 10. Shall develop guidelines for reports to be provided by each agency of the executive,  
11 legislative, and judicial branches, excluding the institutions under the control of the  
12 board of higher education, on information technology in those entities.

13 11. Shall collaborate with the state board of higher education on guidelines for reports to  
14 be provided by institutions under control of the state board of higher education on  
15 information technology in those entities.

16 12. Shall perform all other duties necessary to carry out this chapter.

17 13. May provide wide area network services to a state agency, city, county, school district,  
18 or other political subdivision of this state. The information technology department may  
19 not provide wide area network service to any private, charitable, or nonprofit entity  
20 except the information technology department may continue to provide the wide area  
21 network service the department provided to the private, charitable, and nonprofit  
22 entities receiving services from the department on January 1, 2003.

23 14. Shall assure proper measures for security, firewalls, and internet protocol addressing  
24 at the state's interface with other facilities.

25 15. Notwithstanding subsection 13, may provide wide area network services for a period  
26 not to exceed four years to an occupant of a technology park associated with an  
27 institution of higher education or to a business located in a business incubator  
28 associated with an institution of higher education.

29 16. Shall make available procurement services, information technology hardware  
30 inventory management services, a standardized system to track user issues, antivirus  
31 software, and mobile device management services to each state agency, excluding

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- 1 the legislative and judicial branches and the institutions under the control of the state
- 2 board of higher education.