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