

Fifty-ninth  
Legislative Assembly  
of North Dakota

Introduced by

Legislative Council

Information Technology Committee

1 A BILL for an Act to amend and reenact section 54-35-15.2, subsection 7 of section 54-59-05,  
2 and sections 54-59-11, and 54-59-19 of the North Dakota Century Code, relating to the powers  
3 and duties of the information technology committee, the powers and duties of the information  
4 technology department, information technology plans, and the information technology  
5 department annual report.

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

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

9 **54-35-15.2. Information technology committee - Powers and duties.** The  
10 information technology committee has continuing existence and may meet and conduct its  
11 business during the legislative session and in the interim between sessions. The committee  
12 shall:

- 13 1. Meet at least once each calendar quarter.
- 14 2. Receive a report from the chief information officer of the state at each meeting.
- 15 3. Review the business plan of the information technology department.
- 16 4. ~~Address~~ Review macro-level ~~questions~~ issues relating to the information  
17 technology ~~department~~.
- 18 5. Review the activities of the information technology department.
- 19 6. Review statewide information technology standards.
- 20 7. Review the statewide information technology plan.
- 21 8. ~~Conduct studies of~~ Review information technology efficiency and security.
- 22 9. ~~Make recommendations regarding~~ Review established or proposed information  
23 technology programs and information technology acquisition by the executive and  
24 judicial branches.

- 1           10.    Except as provided in subsection 11, receive and review the information, including  
2                    cost-benefit analysis of, schedule, and cost information, from the information  
3                    technology department regarding any major information technology project of an  
4                    executive or judicial branch agency. A major project is a project with a cost of two  
5                    hundred fifty thousand dollars or more in one biennium or a total cost of five  
6                    hundred thousand dollars or more.
- 7           11.    ~~Review the~~ Receive and review information, including cost-benefit analysis of,  
8                    schedule, and cost information, from the information technology department  
9                    regarding any major project of the state board of higher education or any institution  
10                  under the control of the state board of higher education if the project:  
11                  a.    Significantly impacts the statewide wide area network, including the campus  
12                    access routers;  
13                  b.    Impacts the statewide library system; or  
14                  c.    Is an administrative project. An administrative project is a project that directly  
15                    collects, aggregates, modifies, stores, or reports institutional student,  
16                    financial, or human resources records or data and is provided primarily for  
17                    administrative purposes.
- 18           12.    ~~Perform periodic reviews to ensure that a major information technology project is~~  
19                    ~~on its projected schedule and within its cost projections.~~

20            **SECTION 2. AMENDMENT.** Subsection 7 of section 54-59-05 of the North Dakota  
21 Century Code is amended and reenacted as follows:

- 22            7.    Shall request and review information on or review information technology,  
23                    ~~applications, system development projects, and application development projects~~  
24                    ~~of executive branch agencies~~ , including cost-benefit analysis, schedule, and cost  
25                    information, regarding any major information technology project of an executive or  
26                    judicial branch agency, the state board of higher education, or any institution under  
27                    the control of the state board of higher education as defined in 54-35-15.2. The  
28                    department shall present the information to the information technology committee  
29                    as requested by the committee..

30            **SECTION 3. AMENDMENT.** Section 54-59-11 of the North Dakota Century Code is  
31 amended and reenacted as follows:

1           **54-59-11. Information technology plans.** Each executive branch state agency or  
2 institution, including the institutions under the control of the board of higher education, shall  
3 prepare an information technology plan, subject to ~~approval~~ acceptance by the department.  
4 The plan must be submitted to the department by July fifteenth of each even-numbered year.  
5 The plan must be prepared based on guidelines developed by the department; must provide the  
6 information technology goals, objectives, and activities of the entity for the current biennium and  
7 the next two bienniums; and must include ~~information regarding~~ an asset management plan  
8 relating to the inventory of information technology assets owned, leased, or employed by the  
9 entity. Each entity required to file a plan shall provide interim updates to its plan if major  
10 information technology changes occur which affect its plan. The department shall review each  
11 entity's plan for compliance with statewide information technology policies and standards and  
12 may require an entity to change its plan to comply with statewide policies or standards or to  
13 resolve conflicting directions among plans. Agencies of the judicial and legislative branches  
14 shall file their information technology plans with the department by July fifteenth of each  
15 even-numbered year. Each state entity shall prepare its budget request for the next biennium  
16 based on its information technology plan. The agency's budget request and the governor's  
17 budget recommendation must include supporting information describing in detail how the  
18 information technology plan relates to the budget request and recommendation. Any budget  
19 adjustment by the budget office must include the corresponding change to the plan. Based on  
20 the plans, the department shall prepare a statewide information technology plan and distribute  
21 copies of that plan to members of the legislative assembly as requested by the legislative  
22 council or its designee. The statewide information technology plan must be developed with  
23 emphasis on long-term strategic goals ~~and~~, objectives, and accomplishments. The statewide  
24 information technology plan must contain:

- 25           1. A list of major projects started, ongoing, and completed during the year including  
26           related budgeted and actual costs and the estimated implementation date for each  
27           project as well as the actual implementation date for completed projects.
- 28           2. Information regarding evaluations of cost-benefit analyses for completed projects.
- 29           3. Information regarding the information technology plans including the department's  
30           plan review process, the number of plans reviewed, and the number of plans  
31           accepted.

- 1           4. A description of the benefits to the state resulting from its investment in information  
2                    technology.

3           **SECTION 4. AMENDMENT.** Section 54-59-19 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5           **54-59-19. Information technology department annual report.** The department shall  
6 prepare and present an annual report to the information technology committee. In addition to  
7 the presentation of the annual report to the information technology committee, the department  
8 shall present a summary of the annual report to the budget section and to the legislative audit  
9 and fiscal review committee. The report must contain:

- 10           1. ~~A list of major projects started, ongoing, and completed during the year including~~  
11                   ~~related budgeted and actual costs and the estimated implementation date for each~~  
12                   ~~project as well as the actual implementation date for completed projects.~~
- 13           2. A list of all projects for which financing agreements have been executed.
- 14           3. ~~Information regarding evaluations of cost benefit analyses for completed projects.~~
- 15           4. 2. A comparison of the department's rates charged for services compared to rates  
16                    charged for comparable services in other states and in the private sector.
- 17           5. ~~Information regarding the information technology plans including the department's~~  
18                   ~~plan review process, the number of plans reviewed, and the number of plans~~  
19                   ~~approved.~~
- 20           6. ~~A description of the benefits to the state resulting from its investment in information~~  
21                   ~~technology.~~
- 22           3. Information regarding the delivery of consolidated services to agencies, including  
23                   service dependability, agency complaints, and information technology department  
24                   responsiveness.