

Introduced by

1 A BILL for an Act to amend and reenact section 54-59-02 and subsection 13 of section  
2 54-59-05 of the North Dakota Century Code, relating to responsibilities and powers and duties  
3 of the information technology department.

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

5 **SECTION 1. AMENDMENT.** Section 54-59-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **54-59-02. Information technology department - Responsibility - Public policy.** The  
8 information technology department is established with the responsibility for all wide area  
9 network services planning, selection, and implementation for all state agencies, including  
10 institutions under the control of the board of higher education, counties, cities, and school  
11 districts in this state. With respect to a county, city, or school district, wide area network  
12 services are those services necessary to transmit voice, data, or video outside the county, city,  
13 or school district. In exercising its powers and duties, the department is responsible for  
14 computer support services, host software development, statewide communications services,  
15 standards for providing information to other state agencies and the public through the internet,  
16 technology planning, process redesign, and quality assurance. ~~The~~ Except as provided in  
17 section 54-59-05, the department may not exercise its powers and duties in a manner that  
18 competes or otherwise interferes with the provision of telecommunications service to a private,  
19 charitable, or nonprofit entity by a privately or cooperatively owned telecommunications  
20 company.

21 **SECTION 2. AMENDMENT.** Subsection 13 of section 54-59-05 of the North Dakota  
22 Century Code is amended and reenacted as follows:

23 13. May provide wide area network services to a state agency, city, county, school  
24 district, or other political subdivision of this state. The information technology

- 1 department may not provide wide area network service to any private, charitable,  
2 or nonprofit entity except the information technology department may ~~continue~~;
- 3 a. Continue to provide the wide area network service the department provided to  
4 the private, charitable, and nonprofit entities receiving services from the  
5 department on January 1, 2003; and
- 6 b. Connect to a wide area network service for health information exchange in  
7 accordance with federal requirements for health information exchange.