

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1159  
(Representatives Bosch, Kempenich, Mock, Toman, Weisz)  
(Senators Conley, Davison)

AN ACT to amend and reenact subsection 13 of section 54-35-15.2 and sections 54-59-09 and 54-59-23 of the North Dakota Century Code, relating to the duties of the information technology committee and the state information technology advisory committee; and to repeal sections 54-59-02.1 and 54-59-07 of the North Dakota Century Code, relating to the state information technology advisory committee.

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

**SECTION 1. AMENDMENT.** Subsection 13 of section 54-35-15.2 of the North Dakota Century Code is amended and reenacted as follows:

13. Receive a report from the chief information officer before October first of each even-numbered year regarding the recommendations of the state information technology advisory committee relating to the prioritization of proposed major information technology projects and other information technology issues for the next biennium.

**SECTION 2. AMENDMENT.** Section 54-59-09 of the North Dakota Century Code is amended and reenacted as follows:

**54-59-09. Information technology standards.**

Based on information from state agencies and institutions, the department and the office of management and budget shall develop statewide information technology policies, standards, and guidelines. The policies, standards, and guidelines must recognize the uniqueness of certain agencies and state which agencies are included or exempted from the policies, standards, and guidelines. ~~The policies, standards, and guidelines must be reviewed by the state information technology advisory committee.~~ Each executive branch state agency and institution, excluding the institutions under the control of the board of higher education, shall comply with the policies and standards developed by the department and the office of management and budget unless the chief information officer exempts an agency from the policies, standards, and guidelines to address situations unique to that agency. Unless an exemption is granted by the chief information officer, each entity receiving wide area network services provided by the department shall comply with the policies and standards developed by the department with respect to access to or use of wide area network services.

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

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

1. An executive, legislative, or judicial branch agency, except for institutions under the control of the state board of higher education, shall report to the ~~state information technology advisory committee according to guidelines developed by the department and reviewed by the state information technology advisory committee~~ department before September first of each even-numbered year regarding the plan for and status of any information technology project that is estimated to cost more than five hundred thousand dollars.
2. During the life of the project, the agency shall notify the ~~state information technology advisory committee~~ department if:

- a. At a project milestone, the amount expended on project costs exceeds the planned budget for that milestone by twenty percent or more; or
  - b. At a project milestone, the project schedule extends beyond the planned schedule to attain that milestone by twenty percent or more.
3. A report under subsection 2 must specify corrective measures being undertaken to address any cost or time of completion issue. If the agency has not taken adequate corrective measures within ninety days after the report, the agency shall submit a report to the legislative management's information technology committee regarding the project.
  4. Upon completion of the project, the agency shall notify the ~~state information technology advisory committee~~department if:
    - a. The budget for the project exceeded the original budget by twenty percent or more; or
    - b. The final project completion date extended beyond the original project scheduled completion date by twenty percent or more.

**SECTION 4. REPEAL.** Sections 54-59-02.1 and 54-59-07 of the North Dakota Century Code are repealed.

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Speaker of the House

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President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1159.

House Vote:      Yeas 86              Nays 6              Absent 2

Senate Vote:    Yeas 45              Nays 0              Absent 2

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State