23.8008.02000

Sixty-eighth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1086

Introduced by

Government and Veterans Affairs Committee

(At the request of the Information Technology Department)

A BILL for an Act to create and enact a new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to an exception to the Administrative Agencies Practice Act; and to amend and reenact sections 54-59-09, 54-59-22, and subsection 2 of section 54-59-22.1 of the North Dakota Century Code, relating to information technology standards and services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 2 of section 28-32-01 of the North Dakota Century Code is created and enacted as follows:

The information technology department with respect to administrative rules regarding the policies, standards, and guidelines developed under section 54-59-09.

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~~Quarterly and upon request, the policies, standards, and guidelines must be ~~reviewed by the state information technology advisory committee~~approved by the legislative information technology 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 information technology 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. The policies, standards, and guidelines developed under this section are exempt from the rulemaking procedure in chapter 28-32.

SECTION 3. AMENDMENT. Section 54-59-22 of the North Dakota Century Code is amended and reenacted as follows:

54-59-22. Required use of electronic mail, file and print server administration, database administration, application server, and hosting services.

Each state agency and institution, excluding the legislative and judicial branches, the institutions under the control of the state board of higher education, the attorney general, the veterans' home, and any entity exempted by the ~~office of management and budget after advisement by the~~ information technology department, shall obtain electronic mail, file and print server administration, database administration, storage, application server, and hosting services through a delivery system established by the information technology department ~~in conjunction with the office of management and budget~~. The ~~office of management and budget, after receiving advice from the~~ information technology department~~,~~ shall establish policies and guidelines for the delivery of services, including the transition from existing systems to functional consolidation, with consideration given to the creation of efficiencies, cost-savings, and improved quality of service.

SECTION 4. AMENDMENT. Subsection 2 of section 54-59-22.1 of the North Dakota Century Code is amended and reenacted as follows:

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