

HOUSE BILL NO. 1159

Introduced by

Representatives Bosch, Kempenich, Mock, Toman, Weisz

Senators Conley, Davison

1 A BILL for an Act to amend and reenact subsection 13 of section 54-35-15.2 and sections
2 54-59-09 and 54-59-23 of the North Dakota Century Code, relating to the duties of the
3 information technology committee and the state information technology advisory committee;
4 and to repeal sections 54-59-02.1 and 54-59-07 of the North Dakota Century Code, relating to
5 the state information technology advisory committee.

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

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

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

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

16 **54-59-09. Information technology standards.**

17 Based on information from state agencies and institutions, the department and the office of
18 management and budget shall develop statewide information technology policies, standards,
19 and guidelines. The policies, standards, and guidelines must recognize the uniqueness of
20 certain agencies and state which agencies are included or exempted from the policies,
21 standards, and guidelines. ~~The policies, standards, and guidelines must be reviewed by the~~
22 ~~state information technology advisory committee.~~ Each executive branch state agency and
23 institution, excluding the institutions under the control of the board of higher education, shall
24 comply with the policies and standards developed by the department and the office of

1 management and budget unless the chief information officer exempts an agency from the
2 policies, standards, and guidelines to address situations unique to that agency. Unless an
3 exemption is granted by the chief information officer, each entity receiving wide area network
4 services provided by the department shall comply with the policies and standards developed by
5 the department with respect to access to or use of wide area network services.

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

8 **54-59-23. Information technology projects - Reports.**

- 9 1. An executive, legislative, or judicial branch agency, except for institutions under the
10 control of the state board of higher education, shall report to the ~~state information-~~
11 ~~technology advisory committee according to guidelines developed by the department-~~
12 ~~and reviewed by the state information technology advisory committee~~department
13 before September first of each even-numbered year regarding the plan for and status
14 of any information technology project that is estimated to cost more than five hundred
15 thousand dollars.
- 16 2. During the life of the project, the agency shall notify the ~~state information technology-~~
17 ~~advisory committee~~department if:
- 18 a. At a project milestone, the amount expended on project costs exceeds the
19 planned budget for that milestone by twenty percent or more; or
- 20 b. At a project milestone, the project schedule extends beyond the planned
21 schedule to attain that milestone by twenty percent or more.
- 22 3. A report under subsection 2 must specify corrective measures being undertaken to
23 address any cost or time of completion issue. If the agency has not taken adequate
24 corrective measures within ninety days after the report, the agency shall submit a
25 report to the legislative management's information technology committee regarding the
26 project.
- 27 4. Upon completion of the project, the agency shall notify the ~~state information-~~
28 ~~technology advisory committee~~department if:
- 29 a. The budget for the project exceeded the original budget by twenty percent or
30 more; or

- 1 b. The final project completion date extended beyond the original project scheduled
- 2 completion date by twenty percent or more.

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