

Introduced by

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 and the information technology department,
4 information technology plans, and the information technology department annual report.

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

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

- 8 **54-35-15.2. Information technology committee - Powers and duties.** The
9 information technology committee has continuing existence and may meet and conduct its
10 business during the legislative session and in the interim between sessions. The committee
11 shall:
- 12 1. Meet at least once each calendar quarter.
 - 13 2. Receive a report from the chief information officer of the state at each meeting.
 - 14 3. Review the business plan of the information technology department.
 - 15 4. ~~Address~~ Review macro-level ~~questions~~ issues relating to the information
16 technology ~~department~~.
 - 17 5. Review the activities of the information technology department.
 - 18 6. Review statewide information technology standards.
 - 19 7. Review the statewide information technology plan.
 - 20 8. ~~Conduct studies of~~ Review information technology efficiency and security.
 - 21 9. ~~Make recommendations regarding~~ Review established or proposed information
22 technology programs and information technology acquisition by the executive and
23 judicial branches.

1 10. Except as provided in subsection 11, receive and review the information, including
2 a cost-benefit analysis of, a projected schedule, and cost projections, from the
3 information technology department and the affected agency regarding any major
4 information technology project of an executive or judicial branch agency. A major
5 project is a project with a cost of two hundred fifty thousand dollars or more in one
6 biennium or a total cost of five hundred thousand dollars or more.

7 11. ~~Review the~~ Receive and review information, including a cost-benefit analysis of, a
8 projected schedule, and cost projections, from the information technology
9 department and the affected institution regarding any major project of the state
10 board of higher education or any institution under the control of the state board of
11 higher education if the project:

- 12 a. Significantly impacts the statewide wide area network, including the campus
13 access routers;
- 14 b. Impacts the statewide library system; or
- 15 c. Is an administrative project. An administrative project is a project that directly
16 collects, aggregates, modifies, stores, or reports institutional student,
17 financial, or human resources records or data and is provided primarily for
18 administrative purposes.

19 12. ~~Perform periodic reviews to ensure that a major information technology project is~~
20 ~~on its projected schedule and within its cost projections.~~

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

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

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

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

- 27 1. A list of major projects started, ongoing, and completed during the biennium,
28 including related budgeted and actual costs and the estimated implementation date
29 for each project as well as the actual implementation date for completed projects.
30 2. Information regarding evaluations of cost-benefit analyses for completed projects.

- 1 3. Information regarding the information technology plans, including the department's
2 plan review process, the number of plans reviewed, and the number of plans
3 accepted.
- 4 4. A description of the benefits to the state resulting from its investment in information
5 technology.

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

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

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