

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1086

Introduced by

Government and Veterans Affairs Committee

(At the request of the Information Technology Department)

1 A BILL ~~for an Act to create and enact a new subdivision to subsection 2 of section 28-32-01 of~~
 2 ~~the North Dakota Century Code, relating to an exception to the Administrative Agencies Practice~~
 3 ~~Act; and to amend and reenact sections 54-59-09, 54-59-22, and subsection 2 of section~~
 4 ~~54-59-22.1 of the North Dakota Century Code, relating to information technology standards and~~
 5 ~~services; for an Act to provide for an information technology department study relating to the~~
 6 language of chapter 54-59 of the North Dakota Century Code; and to provide for a legislative
 7 management report.

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

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

11 ~~— The information technology department with respect to administrative rules~~
 12 ~~regarding the policies, standards, and guidelines developed under section~~
 13 ~~54-59-09.~~

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 Quarterly and upon request, the policies, standards, and~~
 22 ~~guidelines must be reviewed by the state information technology advisory committee approved~~
 23 ~~by the legislative information technology committee. Each executive branch state agency and~~
 24 ~~institution, excluding the institutions under the control of the board of higher education, shall~~

1 ~~comply with the policies and standards developed by the information technology department~~
2 ~~and the office of management and budget unless the chief information officer exempts an~~
3 ~~agency from the policies, standards, and guidelines to address situations unique to that agency.~~
4 ~~Unless an exemption is granted by the chief information officer, each entity receiving wide area~~
5 ~~network services provided by the department shall comply with the policies and standards~~
6 ~~developed by the department with respect to access to or use of wide area network services.~~
7 ~~The policies, standards, and guidelines developed under this section are exempt from the~~
8 ~~rulemaking procedure in chapter 28-32.~~

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

11 ~~— **54-59-22. Required use of electronic mail, file and print server administration,**~~
12 ~~**database administration, application server, and hosting services.**~~

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

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

26 ~~— 2. — The office of management and budget, after receiving advice from the information~~
27 ~~technology department, shall establish policies and guidelines for the delivery of~~
28 ~~desktop support services, including the transition from existing systems to functional~~
29 ~~consolidation, with consideration given to the creation of efficiencies, cost savings,~~
30 ~~and improved quality of service. For purposes of this section "desktop support~~

1 ~~services" means technical assistance and device management relating to the use of~~
2 ~~personal computers and peripheral devices.~~

3 **SECTION 1. INFORMATION TECHNOLOGY DEPARTMENT - REVIEW OF STATUTORY**
4 **LANGUAGE - LEGISLATIVE MANAGEMENT REPORT.**

- 5 1. During the 2023-2024 interim, the chief information officer shall appoint a task force of
6 key stakeholders to review chapter 54-59 of the North Dakota Century Code for
7 obsolete or outdated language and practices.
- 8 2. By June 1, 2024, the chief information officer shall report the task force's findings and
9 recommendations, together with any legislation required to implement the
10 recommendations, to the legislative management.