

CHIEF INFORMATION OFFICER

AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: David H. Steele

AN ACT RELATING TO THE CHIEF INFORMATION OFFICER; PRESCRIBING RESPONSIBILITY FOR COORDINATION OF THE DEVELOPMENT OF ELECTRONIC AUTHENTICATION METHODS AND TECHNOLOGY TO FACILITATE ELECTRONIC TRANSACTIONS BETWEEN GOVERNMENT AND CITIZENS OR BUSINESS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63D-1-301.5, as last amended by Chapters 18 and 307, Laws of Utah 1999

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63D-1-301.5** is amended to read:

63D-1-301.5. Chief information officer -- Duties.

(1) The chief information officer shall:

(a) develop specific information technology objectives, policies, procedures, and standards to guide the development of information systems within state government to achieve maximum economy and quality while preserving optimum user flexibility, including:

(i) policies, standards, and procedures for appropriate interchange of information, optimum service, and minimum costs;

(ii) policies for costing all information technology services performed by any state information technology cost recovery center so that every cost recovery center charges its users a rate for services that is both equitable and sufficient to recover all the costs of its operation, including the cost of capital equipment and facilities;

(iii) policies governing coordination, cooperation, joint efforts, working relationships, and cost accounting relative to the development and maintenance of information technology and information systems; and

(iv) policies to ensure the protection of individual privacy and guarantee the exclusive

control to a user of its own data;

(b) coordinate the preparation of agency information technology plans within state government, encompassing both short-term and long-term needs that support the agency's and the state's strategic plans, including Utah Tomorrow;

(c) require each state agency to submit semiannually an agency information technology plan containing the information required by Subsection (2) before the legislative session in which the budget request will be heard and no later than the June 15 after the legislative session in which the budget request was authorized to the chief information officer;

(d) upon receipt of a state agency's information technology plan:

(i) provide a complete copy of that plan to the director of the Division of Information Technology Services;

(ii) review and approve or disapprove agency information technology plans to ensure that these plans are the most economically viable and are the best solution to the agency's needs and the state's needs; and

(iii) approve or disapprove of and coordinate the acquisition of information technology equipment, telecommunications equipment, and related services for all agencies of state government;

(e) facilitate the implementation of agency plans;

(f) establish priorities in terms of both importance and time sequencing for the development and implementation of information systems;

(g) monitor information systems development to promote maximum use of existing state information resources;

(h) advise the governor on information technology policy and make recommendations to the governor regarding requests for appropriations for information technology equipment and personnel;

(i) maintain liaison with the legislative and judicial branches, the Board of Regents, the State Board of Education, local government, federal government, business and industry, and consumers to promote cooperation and make recommendations regarding information resources;

(j) conduct performance audits of state information technology management, planning, and the use of information technology resources and distribute copies of the audit reports as provided in

Subsection (3);

(k) prepare an annual report to the governor and to the Legislature's Public Utilities and Technology Interim Committee and the Information Technology Commission that:

(i) summarizes the state's current and projected use of information technology; and
(ii) includes a description of major changes in state policy and a brief description of each state agency's plan;

(l) inform each state entity of the requirements of Section 63D-1-105; ~~and~~

(m) as permitted by law, coordinate the efforts of state government to provide services and transactions through the Internet[-]; and

(n) coordinate the development of electronic authentication methods and technology needed to conduct electronic transactions between government and citizens or businesses, except that the Division of Corporations and Commercial Code shall have responsibility for regulatory activities in Title 46, Chapter 3, Utah Digital Signature Act.

(2) (a) Each state agency information technology plan shall include information about planned information technology objectives and expenditures for the next year in the level of detail and format specified by the chief information officer.

(b) The plans in Subsection (2)(a) shall include the progress of each state agency toward making the agency's services available on the Internet as provided in Section 63D-1-105.

(3) (a) Upon completion of an audit report produced under authority of Subsection (1)(j), the chief information officer shall:

(i) provide copies of all audit reports to:

(A) the agency audited;

(B) the governor;

(C) the Office of Legislative Fiscal Analyst;

(D) the Public Utilities and Technology Interim Committee; and

(E) the Information Technology Commission; and

(ii) present the performance audit findings to the Information Technology Policy and Strategy Committee at their next meeting.

(b) Each state agency shall provide the chief information officer with complete access to all information technology records, documents, and reports, including electronic, analog, or digital, when requested for the purpose of a performance audit.

(4) The rate for services established by an information technology cost recovery center, and reviewed by the chief information officer, may be lowered if the Legislature appropriates monies to the cost recovery center for the specific purpose of lowering rates.

(5) (a) The chief information officer shall receive reports from the director of the Division of Information Technology Services regarding the division's:

- (i) budget;
- (ii) strategic plans, including services the division is or plans to offer agencies;
- (iii) major expenditure plans; and
- (iv) any other items determined jointly by the executive director and the chief information officer.

(b) The chief information officer shall have authority to approve or disapprove any of the items listed in Subsection (5)(a).