

1                                   **PURCHASE OF TELECOMMUNICATIONS**

2   **SERVICE**

3   1998 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Beverly Ann Evans**

6 AN ACT RELATING TO ADMINISTRATIVE SERVICES; AMENDING THE STATUTE TO  
7 PROVIDE THAT AGENCIES MAY CONTRACT WITH THE DIVISION OF  
8 INFORMATION TECHNOLOGY SERVICES OR ALTERNATIVE PRIVATE PROVIDERS  
9 OF TELECOMMUNICATIONS SERVICES IF IT WILL ACHIEVE CERTAIN BENEFITS  
10 TO THE AGENCY.

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

12 AMENDS:

13                   **63A-6-106**, as last amended by Chapter 167, Laws of Utah 1997

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

15                   Section 1. Section **63A-6-106** is amended to read:

16                   **63A-6-106. Subscription by state agencies and institutions.**

17                   (1) As used in this section:

18                   (a) "Telecommunications" means the transmission or reception of signs, signals, writing,  
19 images, sounds, messages, data, or other information of any nature by wire, radio, light waves, or  
20 other electromagnetic means.

21                   (b) "Telecommunications services and support" means providing the hardware, software,  
22 maintenance, and upkeep of equipment used in telecommunications.

23                   ~~[(2) Except as provided in Subsection (3), all state agencies shall subscribe to the~~  
24 ~~telecommunications services provided by the Division of Information Technology Services~~  
25 ~~unless:]~~

26                   ~~[(a) the state agency or department complies with the requirements of Section 63A-6-104;~~  
27 ~~or]~~

1           ~~[(b) the state agency performs a thorough cost/benefit analysis and determines, with the~~  
2 ~~recommendation of the governor or his designee, that alternate providers are available that can~~  
3 ~~provide service that:]~~

4           ~~[(i) is of equal or better quality; and]~~

5           ~~[(ii) meets the uniform standards and protocols established by the chief information officer~~  
6 ~~under Section 63A-6-302.]~~

7           ~~(2) State agencies~~ h ~~, AFTER CONSULTATION WITH THE~~ § ~~[DEPARTMENT OF~~  
7a ~~ADMINISTRATIVE SERVICES] STATE'S CHIEF INFORMATION OFFICER~~ § h may subscribe to the  
7b telecommunications services provided by the  
8 Division of Information Technology Services or may contract with alternate private providers of  
9 telecommunications services if the agency determines that the purchase of such services from a  
10 private provider will result in cost savings, increased efficiency, or improved quality of services  
11 to the agency h **WITHOUT IMPAIRING THE INTEROPERABILITY OF THE STATES**

11a **TELECOMMUNICATION SERVICES** h .

12           (3) An institution of higher education may subscribe to the services provided by the  
13 division if:

14           (a) the president of the institution recommends that the institution subscribe to the services  
15 of the division; and

16           (b) the Board of Regents determines that subscription to the services of the division will  
17 result in cost savings or increased efficiency to the institution.

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**Legislative Review Note**  
**as of 12-30-97 8:10 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**