

1 **CHIEF INFORMATION OFFICER**

2 **AMENDMENTS**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David H. Steele**

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

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

11 AMENDS:

12 **63D-1-301.5**, as last amended by Chapters 18 and 307, Laws of Utah 1999

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

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

15 **63D-1-301.5. Chief information officer -- Duties.**

16 (1) The chief information officer shall:

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

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

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

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

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28 information systems; and

29 (iv) policies to ensure the protection of individual privacy and guarantee the exclusive
30 control to a user of its own data;

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

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

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

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

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

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

47 (e) facilitate the implementation of agency plans;

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

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

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

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

58 (j) conduct performance audits of state information technology management, planning, and

59 the use of information technology resources and distribute copies of the audit reports as provided
60 in Subsection (3);

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

63 (i) summarizes the state's current and projected use of information technology; and

64 (ii) includes a description of major changes in state policy and a brief description of each
65 state agency's plan;

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

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

69 (n) coordinate the development of electronic authentication methods and technology

70 needed to conduct electronic transactions between government and citizens or businesses, except
71 that the Division of Corporations and Commercial Code shall have responsibility for regulatory
72 activities in Title 46, Chapter 3, Utah Digital Signature Act.

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

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

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

80 (i) provide copies of all audit reports to:

81 (A) the agency audited;

82 (B) the governor;

83 (C) the Office of Legislative Fiscal Analyst;

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

85 (E) the Information Technology Commission; and

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

88 (b) Each state agency shall provide the chief information officer with complete access to
89 all information technology records, documents, and reports, including electronic, analog, or digital,

90 when requested for the purpose of a performance audit.

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

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

96 (i) budget;

97 (ii) strategic plans, including services the division is or plans to offer agencies;

98 (iii) major expenditure plans; and

99 (iv) any other items determined jointly by the executive director and the chief information
100 officer.

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

Legislative Review Note
as of 11-17-99 12:53 PM

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

Office of Legislative Research and General Counsel

Committee Note

The Public Utilities and Technology Interim Committee recommended this bill.