

April 3, 2003

**S 991. CONSUMER'S RIGHT TO KNOW ACT.** TO PROVIDE THAT STATE GOVERNMENT SHALL REQUIRE IN EVERY CONTRACT FOR THE PERFORMANCE OF TELEMARKETING SERVICES PROVISIONS THAT ONLY CITIZENS OF THE UNITED STATES AND PERSONS AUTHORIZED TO WORK IN THE UNITED STATES MAY BE EMPLOYED, AND TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION FROM CUSTOMER SALES AND SERVICE CENTERS. As title indicates.

**Intro. by Reeves.**

Ref. to

UNCODIFIED

May 1, 2003

**S 991. CONSUMER'S RIGHT TO KNOW AND ACT.** Intro. 4/3/03. Senate amendments make the following changes to 1st edition. Replace provisions of original bill with amendment to GS 143-59.3 to prohibit Sec'y of Administration and other state entities from contracting for telemarketing services or telephone center services with any vendor that employs persons not authorized to work in the United States, and provide that all such services must be performed within the US. Require that all vendors certify that employees performing such services are authorized to work in the US and make a false certification punishable as a Class I felony. Specifies that contracts entered into in violation of the provision are void. Also add new Art. 41 to GS Ch. 66 to provide that any person receiving a call from, or placing a call to, a customer sales call center or a customer service call center has the right upon request to all information set forth in bill. Also specify that no financial, credit, or identifying information about a person who has contact with such a center can be sent to any foreign country without express written permission. Amendments are effective Oct. 1, 2003, and apply to contracts entered into on or after that date.

July 1, 2004

**S 991. IMPROVE STATE IT EFFICIENCY & PROJ. MGMT (NEW).** Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Replaces existing bill with completely new bill enacting new GS Ch. 147, Ch. 3D, Part 1, State Information Technology Management. New Part 1 requires that (1) the State Chief Information Officer (CIO) develop a biennial State Information Technology Plan, to include an inventory of current information technology (IT) assets and major projects currently in progress, an evaluation and estimation of the significant state IT needs for the next five years and the cost of those needs, and an analysis of initiatives that would improve the effectiveness of state IT programs, and that each executive agency and the Administrative Office of the Courts develop a biennial agency IT plan; (2) the State CIO review all agency IT projects in excess of \$500,000 and establish thresholds for determining which IT projects costing less than \$500,000 shall be subject to CIO approval, and CIO suspend approval of any IT project costing more than \$500,000 that does not continue to meet quality assurance standards; and that (3) all agency contracts for IT include provisions for vendor performance review and accountability. Act establishes a review process to resolve disputes when CIO has either failed to approve or has suspended an IT project. Requires that each State agency establish a project manager for each IT project requiring CIO approval, manager to provide periodic reports to Office of IT Services, and that Office establish procedures for IT procurement. Creates 12-member Information Technology Board located within the Office of IT Services (ITS). Establishes an Information Technology Fund.

Amends GS 147-33.76(a) to delete requirement that Governor consult with General Assembly Committees before appointing State CIO and enacts new GS 147-33.76(b1) to delineate responsibilities of state CIO. Repeals GS 147-33.78 and -33.79 (Information Resource Management Comm'n and staff) and transfers personnel, property and funding of Comm'n to ITS. Requires that \$7.5 million be transferred from the IT Services Internal Fund to the IT Fund June 30, 2004. For 2004-05, appropriates \$2.7 million from IT Fund to Office of State Controller to implement the recommendations of Business Infrastructure Study; and \$4.8 million to ITS for listed purposes. Enacts new GS 120-231(a1) requiring that the Jt. Select Comm. on IT continually examine systemwide issues affecting state IT.

Requires that each state agency (except UNC and its constituent institutions), the AOC, and the General Assembly, conduct an analysis of its IT infrastructure and submit reports to the Office of State Budget and Management and state CIO by March 1, 2005. Further requires that OSBM develop a plan to consolidate IT infrastructure, staffing, and expenditures, including recommendations to convert contractor FTE to state positions where contractor positions have been filled for 12 months. A state agency that has issued an RFP for an IT project is not required to seek approval by the state CIO or revise the RFP. Makes technical and conforming changes. Effective July 1, 2004.

July 16, 2004

**S 991. IMPROVE STATE IT EFFICIENCY.** Intro. 4/3/03. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Deletes the entire House Committee Substitute and replaces it

with a substantially similar bill, with the following modifications. Deletes inclusion of Administrative Office of the Courts in GS 147-33.72B regarding planning and financing information technology resources and in GS 147-33.72G regarding reviews by Information Technology Advisory Board. Revises review process in GS 147-33.72D for agency appeals of state CIO decisions to provide that member of review committee does not sit on appeals from own agency and to specify grounds for committee reversal or modification of state CIO decision. Adds requirement for annual report from state CIO to joint Legislative Oversight Committee on Information Technology regarding expenditures from Information Technology Fund. Revises GS 120-230 to specify reviews and recommendations to be made by Joint Legislative Oversight Committee (formerly Select Committee) on Information Technology. Amends GS 120-232 to increase membership of this committee from ten to sixteen legislators and deletes six public members. Revises GS 147-33.84 to specify process by which state agencies can request deviations regarding information processing functions or equipment. Makes additional technical and conforming amendments.

August 6, 2004

**SL 2004-129 (S 991). IMPROVE STATE IT EFFICIENCY AND PROJECT MANAGEMENT. AN ACT TO IMPROVE STATE GOVERNMENT INFORMATION TECHNOLOGY PLANNING, ADOPT STANDARDS, MAKE PROJECT DEVELOPMENT MORE EFFICIENT, REDUCE COST OVERRUNS, PROVIDE ASSISTANCE TO STATE AGENCIES, AND INCREASE ACCOUNTABILITY.** Summarized in *Daily Bulletin* 7/1/04 and 7/16/04. Enacted July 27, 2004. Effective July 1, 2004.