

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1031*

Short Title: Smarter Gov/Business Intelligence Initiative. (Public)

Sponsors: Representatives Blackwell, Avila, and Hager (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Commerce and Job Development.

May 22, 2012

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH ENTERPRISE-WIDE BUSINESS INTELLIGENCE AS A KEY COMPONENT OF ALL STATE GOVERNMENTAL OPERATIONS IN ORDER TO MAXIMIZE DATA INTEGRATION AND ANALYTICS, THEREBY YIELDING MORE EFFICIENT GOVERNMENT AND ADVANCING INNOVATION IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Purpose. – The purpose of this act is to implement an enterprise-level data integration and analytics initiative across State government. The initiative will support the effective and efficient development of State government's business intelligence capability in a coordinated manner and reduce unnecessary information silos and technological barriers. The initiative is not intended to replace transactional systems, but it is intended to leverage the data from those systems for enterprise analytics.

SECTION 2.(a) Coordination. – Coordination of the State government business intelligence initiative shall be led by:

- (1) The State Controller, for the executive branch.
- (2) The officer or agency designated by the Chief Justice of the North Carolina Supreme Court, for the judicial branch.
- (3) The officer or agency designated by the Legislative Services Commission, for the legislative branch.

SECTION 2.(b) From among those set forth in subsection (a) of this section, the State Controller shall serve as the principal coordinating officer responsible for the State government business intelligence initiative authorized by this act. Nothing in this act prevents the Chief Justice or the Legislative Services Commission from designating the State Controller to lead the business intelligence initiative for the judicial and legislative branches, respectively.

SECTION 3.(a) There is established in the Office of State Controller (OSC) the Government Business Intelligence Competency Center (GBICC) as an integral component of the State government business intelligence initiative. The work, purpose, and resources of the current data integration effort in the OSC shall be assumed by GBICC. The State Controller shall make any other organizational changes necessary to maximize the effectiveness and efficiency of GBICC.

SECTION 3.(b) The State Controller and GBICC shall coordinate data requirements and usage for business intelligence applications across State government. This coordination shall be accomplished in a manner that (i) limits impacts on participating agencies



1 as those agencies provide data and business knowledge expertise and (ii) assists in defining
2 business rules so data can be properly used.

3 **SECTION 3.(c)** The GBICC shall:

- 4 (1) Continue and coordinate ongoing enterprise data integration efforts.
- 5 (2) Identify any technologies supporting data analytics.
- 6 (3) Identify technologies currently used in North Carolina, including standard
7 technologies for foundation components.
- 8 (4) Identify other technologies that could support the State's business
9 intelligence effort, especially those with unique capabilities.
- 10 (5) Compare capabilities and costs across State government.
- 11 (6) Ensure implementation is properly supported across State government.
- 12 (7) Ensure that data integration and sharing is performed in a manner that
13 preserves privacy, as appropriate.

14 **SECTION 3.(d)** Efficiencies and savings generated by the work of the GBICC are
15 intended to offset any additional resources agencies may require to support the sharing of data.

16 **SECTION 4.(a)** Data Sharing Mandatory. – The State Controller shall be granted
17 access to all information required to develop and support State government business
18 intelligence applications established by this act. The head of each State agency, department,
19 and institution; the head of every political subdivision of the State; the Board of Governors of
20 The University of North Carolina; the Community Colleges System Office; and the local
21 boards of education shall:

- 22 (1) Cooperate fully in the sharing of all data required to develop and effectuate
23 the State government business intelligence initiative.
- 24 (2) Provide the full details of the agency's information technology, operational,
25 and security requirements, and information on all of the agency's
26 information technology activities relevant to State government business
27 intelligence effort.
- 28 (3) Forecast the agency's projected future business intelligence information
29 technology needs and capabilities.
- 30 (4) Identify potential resources for deploying business intelligence in their
31 respective agencies and as part of the enterprise-wide effort.

32 **SECTION 4.(b)** The State Controller shall report immediately any failure to
33 provide requested information to the Joint Legislative Committee on Information Technology
34 and to the Chairs of the House of Representatives Appropriations and Senate Base
35 Budget/Appropriations Committees.

36 **SECTION 5.(a)** Sensitive Data/Security. – Any data that is not classified as a
37 public record under G.S. 132-1 shall not be deemed a public record when incorporated into the
38 data resources comprising the State's business intelligence initiative. To maintain the
39 confidentiality requirements attached to the information provided to the State Controller and
40 GBICC by the various State and local agencies, each source agency providing data shall be the
41 sole custodian of the data for the purpose of any request for inspection or copies thereof under
42 Chapter 132 of the General Statutes. When applicable, the State Controller and GBICC shall
43 allow access to data only from the source agencies in accordance with rules adopted by the
44 respective source agencies.

45 **SECTION 5.(b)** G.S. 75-66(d) reads as rewritten:

46 "(d) Nothing in this section shall:

- 47 (1) Limit the requirements or obligations under any other section of this Article,
48 including, but not limited to, G.S. 75-62 and G.S. 75-65.
- 49 (2) Apply to the collection, use, or release of personal information for a purpose
50 permitted, authorized, or required by any federal, state, or local law,
51 regulation, or ordinance.

- 1 (3) Apply to data integration efforts to implement the State's business
2 intelligence strategy as provided by law or under contract."

3 **SECTION 6.(a)** Public Records. – Notwithstanding the provisions of Chapter 132
4 of the General Statutes, information compiled by the State Controller and the GBICC related to
5 the business intelligence initiative authorized by this act may be released as a public record
6 only if the State Controller, in that officer's sole discretion, finds that the release of information
7 is in the best interest of the general public and not in violation of law or contract.

8 **SECTION 6.(b)** Information released to persons engaged in implementing the
9 State's business intelligence strategy under this act that is used for purposes other than official
10 State business is not a public record pursuant to Chapter 132 of the General Statutes.

11 **SECTION 7.** Coordination Requirements/Phases. – The State government business
12 intelligence initiative shall be phased for maximum benefit, as follows:

- 13 (1) Phase. I. – In the first phase, the State Controller and GBICC shall:
14 a. Inventory existing data analytics projects, both completed and under
15 development.
16 b. Develop a plan of action that does all of the following:
17 1. Defines the program requirements, objective, and end state of
18 the business intelligence initiative.
19 2. Prioritizes stages of implementation in a detailed plan and
20 benchmarked time line.
21 3. Includes the effective coordination of all of the State's current
22 data integration initiatives.
23 4. Utilizes a common approach that establishes standards for
24 business intelligence initiative for all agencies and prevents
25 the development of projects that do not meet the established
26 standards.
27 5. Determines costs associated with the development effort and
28 identifies potential sources of funding.
29 6. Includes a privacy framework for data integration consisting
30 of adequate access controls and end user security
31 requirements.
32 (2) The State Controller shall, working through GBICC, determine whether:
33 a. Current, ongoing projects support the enterprise-level objectives.
34 b. Current applications are scalable, or are applicable for multiple
35 agencies, or both.
36 (3) Phase II. – In the next phase, the State Controller and GBICC shall:
37 a. Identify redundancies and determine which projects should be
38 discontinued.
39 b. Determine where gaps exist in current or potential capabilities.
40 (4) Phase III. – By the final phase, the State Controller and GBICC shall:
41 a. Incorporate or consolidate existing projects, as appropriate.
42 b. Eliminate redundant projects, software, and licensing, and reprogram
43 funding from redundant projects.
44 c. Have taken all steps necessary to achieve privacy preserving data
45 integration.

46 **SECTION 8.(a)** Steering Committee. – Section 6A.20(b) of S.L. 2011-145,
47 pertaining to the creation of the Data Integration Steering Committee, is repealed. The
48 purposes, duties, and resources of the former entity shall be assumed by the Government
49 Business Intelligence Steering Committee created by this section.

50 **SECTION 8.(b)** The Government Business Intelligence Steering Committee
51 (Committee) is created in the Office of the State Controller. The purpose of the Committee is to

1 provide for the centralization of the State's business intelligence and data integration in order to
2 increase value while decreasing cost and to enhance service provision and efficiency in the best
3 interests of North Carolina.

4 The State Controller shall chair the Committee. The Committee shall consist of the
5 following voting members:

- 6 (1) Two members appointed by the Governor, including one person with
7 information technology background and expertise and one person having a
8 background in law enforcement.
- 9 (2) Two members appointed by the President Pro Tempore of the Senate,
10 including one person with a background in government accounting and one
11 having experience in government operations.
- 12 (3) Two members appointed by the Speaker of the House of Representatives,
13 including one person with a background in information technology and one
14 person with a background in business management.

15 The State Treasurer, the State Auditor, the Director of the Office of State Budget and
16 Management, and the State Chief Information Officer are appointed as nonvoting, ex officio
17 members of the Committee serving in an advisory capacity.

18 The appointing authority shall fill vacancies. Members of the Committee shall receive per
19 diem, subsistence, and travel allowances at the applicable rate established in G.S. 120-3.1,
20 138-6, or 138-5. Public members of the Committee may not have a current or former business
21 relationship with any vendor with which the State is doing business for its information
22 technology-related requirements.

23 **SECTION 8.(c)** The Committee shall do all of the following:

- 24 (1) Review the agencies' portfolio of data and information assets, as well as the
25 tools, services, processes, and strategies by which the State's data assets can
26 be aligned to increase the State's business intelligence.
- 27 (2) Develop policies pertaining to the State's data inventory that will further
28 business intelligence.
- 29 (3) Evaluate the cost versus benefit relationship across agency information
30 technology business processes.
- 31 (4) Consider ways to increase transparency through data sharing strategies such
32 as data services toward the end that data integration will be effective.
- 33 (5) Consider ways to protect the privacy and information of persons in the State
34 affected by data integration.
- 35 (6) Assist in the selection of project leaders who will accomplish
36 enterprise-wide data integration and business intelligence objectives.

37 **SECTION 8.(d)** By September 1, 2012, and quarterly thereafter, the State
38 Controller shall make a detailed progress report to the Joint Legislative Committee on
39 Information Technology regarding implementation of the State government business
40 intelligence initiative.

41 **SECTION 9.(a)** Appropriations. – There is appropriated from the General Fund to
42 the Office of State Controller the sum of _____ dollars (\$) for the
43 2012-2013 fiscal year to fund the business intelligence initiative established by this act.

44 **SECTION 9.(b)** There is appropriated from the Highway Fund to the Office of
45 State Controller the sum of _____ dollars (\$) for the 2012-2013 fiscal
46 year to fund the business intelligence initiative established by this act.

47 **SECTION 10.** Effective Date. – This act becomes effective July 1, 2012.