

25-4-105. Department of Information Systems -- General powers and duties.

(a) (1) The Department of Information Systems shall be vested with all the powers and duties necessary to administer the department and to enable it to carry out fully and effectively the regulations and laws relating to the department.

(2) The department's powers and duties relate to information technology and include without limitation:

(A) Conceptualizing, designing, developing, building, and maintaining common information technology infrastructure elements used by state agencies and governmental entities;

(B) Providing information technology services to state agencies, other governmental entities, nongovernmental first responder entities, and other quasi-governmental entities;

(C) Entering into contracts with state agencies, other governmental entities, and nongovernmental first responder entities for the purpose of providing information technology services;

(D) (i) Establishing fair and reasonable schedules of rates or fees to be paid by customers that are provided service to enable the department to recover all allowable costs of providing the services as provided in this chapter.

(ii) The same rate or fee structure will apply to all customers receiving services;

(E) (i) Establishing estimated billing rates to be developed for a period to coincide with the budgeting process.

(ii) The department shall have the authority to adjust billing as necessary to effect compliance with applicable state and federal statutory and regulatory provisions.

(iii) Billing adjustments shall be subject to the approval of the Chief Fiscal Officer of the State and review by the Legislative Council;

(F) Acquiring information technology on behalf of state agencies, the cost of which shall be recovered through customer billings or through direct funding;

(G) Promulgating rules that are necessary for efficient administration and enforcement of the powers, functions, and duties of the department as provided in this chapter;

(H) Developing a departmental plan to support the goals and objectives set forth for it in the state information technology plans and strategies;

(I) Implementing systems to ensure the security of state data and state data processing assets, to provide for disaster recovery and continuity of operations to the state agencies served, and to recover its costs from the customers benefited;

(J) Performing any additional powers, functions, and duties that are necessary and appropriate for the proper administration of the provisions of this chapter;

(K) Providing a State Cyber Security Office to monitor information resource security issues,

coordinating all security measures that could be used to protect resources by more than one (1) governmental entity, and acting as an information technology resource to other state agencies;

(L) Assisting in the development of an information technology security policy for state agencies;

(M) Developing the information technology security policy for state agencies;

(N) Advising agencies in acquiring information technology service;

(O) Developing the information technology policies, standards, and specifications for state agencies and ensuring agencies' compliance with those policies, procedures, and standards;

(P) Participating in the development of information technology state contracts, including without limitation the identification of requirements, contract negotiation, and vendor evaluation;

(Q) With respect to their technology functions and applications, all state departments, boards, commissions, and public institutions of higher education, consulting and cooperating with the Department of Information Systems in the formation and implementation of security policies for the state core information technology infrastructure;

(R) Developing a state information technology plan that shall establish a state-level mission, goals, and objectives for the use of information technology;

(S) Identifying and establishing information technology solutions that can support more than one (1) agency in providing governmental services;

(T) Advising agencies regarding information technology contracts and agreements;

(U) Developing policies to promote and facilitate electronic access to government information and interoperability of information systems; and

(V) Reviewing and approving agencies' information technology plans and requests.

(b) This chapter shall not be construed to deprive, transfer, limit, or in any way alter or change any of the powers vested in the board of trustees of any institution of higher education under existing constitutional and statutory provisions.

HISTORY: Acts 1977, No. 884, § 5; A.S.A. 1947, § 5-1405; Acts 1997, No. 914, § 5; 2001, No. 1722, § 4; 2005, No. 1999, § 3; 2007, No. 751, § 13; 2009, No. 648, § 3.