

**N.C. Gen. Stat. § 143B-1321**

Current through Session Laws 2024-2 of the 2024 Regular Session of the General Assembly, but does not reflect possible future codification directives from the Revisor of Statutes pursuant to G.S. 164-10.

*General Statutes of North Carolina > Chapter 143B. Executive Organization Act of 1973. (Arts. 1 — 16) > Article 15. Department of Information Technology. (Pts. 1 — 11) > Part 1. General Provisions. (§§ 143B-1320 — 143B-1329)*

**§ 143B-1321. Powers and duties of the Department; cost-sharing with exempt entities.**

- (a) The Department shall have the following powers and duties:
- (1) Provide information technology support and services to State agencies.
  - (2) Provide such information technology support to local government entities and others, as may be required.
  - (3) Establish and document the strategic direction of information technology in the State.
  - (4) Assist State agencies in meeting their business objectives.
  - (5) Plan and coordinate information technology efforts with State agencies, nonprofits, and private organizations, as required.
  - (6) Establish a consistent process for planning, maintaining, and acquiring the State's information technology resources. This includes responsibility for developing and administering a comprehensive long-range plan to ensure the proper management of the State's information technology resources.
  - (7) Develop standards and accountability measures for information technology projects, including criteria for effective project management.
  - (8) Set technical standards for information technology, review and approve information technology projects and budgets, establish and enforce information technology security standards, establish and enforce standards for the procurement of information technology resources, and develop a schedule for the replacement or modification of information technology systems.
  - (9) Implement enterprise procurement processes and develop metrics to support this process.
  - (10) Manage the information technology funding for State agencies, to include the Information Technology Fund for statewide information technology efforts and the Information Technology Internal Service Fund for agency support functions.
  - (11) Support, maintain, and develop metrics for the State's technology infrastructure and facilitate State agencies' delivery of services to citizens.

- (12)** Operate as the State enterprise organization for information technology governance.
- (13)** Advance the State's technology and data management capabilities.
- (14)** Prepare and present the Department's budget in accordance with Chapter 143C of the General Statutes, the State Budget Act.
- (15)** Obtain, review, and maintain, on an ongoing basis, records of the appropriations, allotments, expenditures, revenues, grants, and federal funds for each State agency for information technology.
- (16)** Adopt rules for the administration of the Department and implementing this Article, pursuant to the Administrative Procedure Act, Chapter 150B of the General Statutes.
- (17)** Require reports by State agencies, departments, and institutions about information technology assets, systems, personnel, and projects and prescribing the form of such reports.
- (18)** Prescribe the manner in which information technology assets, systems, and personnel shall be provided and distributed among agencies, to include changing the distribution when the State CIO determines that is necessary.
- (19)** Prescribe the manner of inspecting or testing information technology assets, systems, or personnel to determine compliance with information technology plans, specifications, and requirements.
- (20)** Submit all rates and fees for common, shared, and State government-wide technology services provided by the Department to the Office of State Budget and Management for approval.
- (21)** Establish and operate, or delegate operations of, centers of expertise (COE) for specific information technologies and services to serve two or more agencies on a cost-sharing basis, if the State CIO, after consultation with the Office of State Budget and Management, decides it is advisable from the standpoint of efficiency and economy to establish these centers and services.
- (22)** Identify and develop projects to facilitate the consolidation of information technology equipment, support, and projects.
- (23)** Identify an agency to serve as the lead (COE) for an enterprise effort, when appropriate.
- (24)** Require any State agency served to transfer to the Department or COE ownership, custody, or control of information-processing equipment, software, supplies, positions, and support required by the shared centers and services.
- (25)** Charge each State agency for which services are performed its proportionate part of the cost of maintaining and operating the shared centers and services, subject to approval by the Office of State Budget and Management.
- (26)** Develop performance standards for shared services in coordination with supported State agencies and publish performance reports on the Department Web site.
- (27)** Adopt plans, policies, and procedures for the acquisition, management, and use of information technology resources in State agencies to facilitate more efficient and economic use of information technology in the agencies.

- (28) Develop and manage career progressions and training programs to efficiently implement, use, and manage information technology resources throughout State government.
  - (29) Provide local government entities with access to the Department's services as authorized in this section for State agencies. Access shall be provided on the same cost basis that applies to State agencies.
  - (30) Support the operation of the CGIA, GICC, GDAC, and 911 Board.
  - (31) Repealed by Session Laws 2016-94, s. 7.14(d), effective July 1, 2016.
  - (32) Provide geographic information systems services through the Center for Geographic Information and Analysis on a cost recovery basis. The Department and the Center for Geographic Information and Analysis may contract for funding from federal or other sources to conduct or provide geographic information systems services for public purposes.
  - (33) Support the development, implementation, and operation of an Education Community of Practice.
  - (34) Prepare and maintain statewide broadband maps incorporating current and future federal data along with State data collected by the Department or provided to the Department from other sources to identify the capabilities and needs related to broadband distribution and access and serve as the sole source provider of broadband mapping for State agencies.
- (b) Cost-Sharing with Other Branches.** — Notwithstanding any other provision of law to the contrary, the Department shall provide information technology services on a cost-sharing basis to exempt agencies, upon request.
- (c)** Such information technology information protected from public disclosure under G.S. 132-6.1(c), including, but not limited to, security features of critical infrastructure, information technology systems, telecommunications networks, or electronic security systems, including hardware or software security, passwords, or security standards, procedures, processes, configurations, software, and codes, shall be kept confidential.

## History

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2015-241, s. 7A.2(b); 2016-94, s. 7.14(d); 2019-200, s. 6(c); 2021-180, ss. 19A.7A(e), 38.8(a).