

NY CLS STATE TECHNOLOGY LAW § 103

Current through 2024 released Chapters 1-59, 61-117

New York Consolidated Laws Service > State Technology Law (Arts. I — 4) > Article I Office of Information Technology Services (§§ 101 — 107)

§ 103. Functions, powers and duties of the office.

The office shall have the following functions, powers and duties:

1. To act as the official state planning and coordinating office for the advancement of technology to improve government efficiency and effectiveness, and perform all necessary and appropriate services required to fulfill these duties;
2. To advise and assist the state agencies in developing policies, plans and programs for improving the statewide coordination, administration, security, confidentiality, program effectiveness, acquisition and deployment of technology;
3. To perform technology reviews and make recommendations for improving management and program effectiveness pertaining to technology;
4. To review and coordinate the purchase of technology by state agencies. Where applicable, such review shall include but not be limited to: assessing consistency with the statewide strategic technology plan and agency technology plan; statewide technology standards; the safeguarding of information privacy; security of confidential records; and proper dissemination of public information;
5. To establish, oversee, manage, coordinate and facilitate the planning, design and implementation of the state's common technology networks;
6. To undertake research, studies and analyses, and act as a central repository, clearinghouse and disseminator of research studies, with respect to technology;
7. To facilitate and coordinate the improvement of program delivery services through technology with and among other departments, divisions and agencies of the state, its political subdivisions and municipalities;
- 7-a. To provide technology services via agreements with:
 - (a) municipal corporations, public benefit corporations and district corporations as defined in section sixty-six of the general construction law;
 - (b) political subdivisions as defined in section one hundred of the general municipal law;
 - (c) public authorities;
 - (d) soil and water conservation districts;

(e) any unit of the state university and city university of New York pursuant to and consistent with sections three hundred fifty-five and sixty-two hundred eighteen of the education law;

8. To encourage and foster the exchange of and increase access to information within and among public and private entities and individuals in order to improve the delivery of state programs and services of the state;

8-a.

(a) To advise and assist state agencies in the implementation of language translation technology on state agency websites containing information about the novel coronavirus (“COVID-19”) or programs, benefits or services related to COVID-19 within sixty days of the effective date of this subdivision; and on all state agency websites within six months of the effective date of this subdivision.

(b) Such language translation technology shall, at a minimum, allow users to translate the text of state agency websites into at least the twelve most common non-English languages spoken by individuals with limited-English proficiency in the state of New York, based on United States census data.

(c) As used in this subdivision, the term “state agency website” shall mean an internet website operated by or for a state agency. Such term shall include those websites operated on behalf of state agencies by other public or private entities, but shall not include any portions of the internet outside the control of the state agency.

9. To undertake technology projects with a statewide or multi-agency impact and, where appropriate, designate agencies to act as lead agency for the project;

10. To establish statewide technology policies, including but not limited to preferred technology standards and security, including statewide policies, standards, programs, and services relating to the security of state government networks and geographic information systems, including the statewide coordination of geographically referenced critical infrastructure information;

11. To adopt, amend, or rescind rules and regulations necessary or convenient to the performance of the functions, powers and duties of the office pursuant to the state administrative procedure act;

12. To complete a comprehensive study of existing state information resource technology infrastructure to the extent that the information is available.

Such study shall include, but not be limited to, inventories of:

(a) state operations’ computer hardware and software;

(b) major physical infrastructures supporting existing operations, including power, air conditioning, space and other environmental needs;

(c) the telecommunications and other networks supporting existing operations;

(d) personnel associated with existing operations and management;

(e) expected retirement schedule of existing computer hardware and software and replacement costs; and

- (f) data processing consulting and contracting services utilized.

Such study shall be completed and submitted to the governor, the temporary president of the senate and the speaker of the assembly on or before October first, two thousand two. The office shall provide interim reports on October first, two thousand and October first, two thousand one.

12-a. To develop:

- (a) a methodology to ascertain how much the state spends on technology goods and services;
- (b) a process to update the computer hardware and software inventory periodically;
- (c) a methodology to determine the expected life-cycle of state operations' computer hardware and software which shall include the total cost of ownership; and
- (d) formal disaster recovery plans for the state data center and statewide network, NY e-net; such plans shall be confidential.

Such developments shall be completed and submitted to the governor, the temporary president of the senate and the speaker of the assembly on or before October first, two thousand three.

12-b. To request and shall receive from any department, division, board, commission or other agency of the state any information and resources necessary to carry out the responsibilities and provisions set forth in subdivisions twelve and twelve-a of this section.

13. To establish a multi-year statewide strategy plan covering a time period of not less than three years to promote and coordinate interagency technology efforts and initiatives that conform to the state's overarching programmatic policy under which state agencies shall develop their information resource management plans. Such plan shall be submitted to the governor, the temporary president of the senate and the speaker of the assembly upon completion on or before October first, two thousand. Such plan shall be updated as needed, but not less than once every three years;

14. To coordinate state budget submission to address known year two thousand conversion issues;

15. To conduct selective evaluations of technology activities in state agencies; and

16. To perform such acts, directly or by other means, as are necessary or convenient to carry out the office's functions, powers and duties.

17. To enter into contracts with any person, firm, corporation, not-for-profit corporation, political subdivision of the state, or governmental entity.

18. To provide for the protection of the state government's cyber security infrastructure, including, but not limited to, the identification and mitigation of vulnerabilities, deterring and responding to cyber events, and promoting cyber security awareness within the state.

19. To maintain, in electronic or paper formats, maps, geographic images, geographic data and metadata.

- 20.** To issue guidance and training for state agencies in their compliance with the Web Content Accessibility Guidelines required pursuant to section one hundred three-d of the state technology law.
- 21.** To issue guidance for contractors, subcontractors, vendors, consultants, or other persons in their compliance with the Web Content Accessibility Guidelines required pursuant to section one hundred seventy-f of the executive law.
- 22.** Notwithstanding the provisions of subparagraphs (i) and (ii) of paragraph (a) of subdivision eight of section seventy-three of the public officers law, former officers or employees of the office of cyber security employed by the not-for-profit corporation that operates the multi-state information sharing and analysis center may appear before and render services to any federal, state, local, territorial or tribal government relating to cyber security.
- 23.** [There are two subs 23] To issue guidance for state agencies in their compliance with the gender-neutral terminology requirements set forth in section one hundred three-b of this chapter.
- 23.** [There are two subs 23] Notwithstanding the provisions of section one hundred sixty-three of the state finance law, section one hundred three of the general municipal law, article four-C of the economic development law, or any other provision of law relating to the award of public contracts, any officer, body, or agency of New York state, public corporation, or other public entity subject to such provisions of law shall be authorized to enter individually or collectively into contracts with the not-for-profit corporation that operates the multi-state information sharing and analysis center for the provision of services through September thirtieth, two thousand fifteen related to cyber security including, but not limited to, monitoring, detecting, and responding to cyber incidents, and such contracts may be awarded without compliance with the procedures relating to the procurement of services set forth in such provisions of law. Such contracts shall, however, be subject to the comptroller's existing authority to approve contracts where such approval is required by section one hundred twelve of the state finance law or otherwise. Such officers, bodies, or agencies may pay the fees or other amounts specified in such contracts in consideration of the cyber security services to be rendered pursuant to such contracts.

History

Formerly Executive Law, § 206-a, add, L 1997, ch 430, § 30, eff Aug 20, 1997; amd, L 1999, ch 4, § 1, eff Aug 28, 1999; L 2000, ch 56, § 1 (Part B), eff May 15, 2000; transferred to State Technology Law and renumbered § 103, L 2004, ch 437, § 2, eff Sept 14, 2004; L 2013, ch 55, §§ 3, 4 (Part N), eff March 28, 2013; L 2014, ch 55, § 1 (Part F), eff March 31, 2014; L 2021, ch 785, § 1, effective December 22, 2021; L 2022, ch 108, § 1, effective December 22, 2021; L 2022, ch 658, § 2, effective May 31, 2023; L 2023, ch 140, § 2, effective December 22, 2023; L 2023, ch 734, § 2, effective May 31, 2023; L 2024, ch 42, § 2, effective May 31, 2023.

End of Document