

NORTH CAROLINA GENERAL ASSEMBLY
CONFERENCE REPORT
House Bill 217

H217-CRTG-1 [v.12]

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[YES] Title Change

[NO] For Committee Substitute

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 217, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS AND TECHNICAL CHANGES TO THE STATUTES RELATING TO THE DEPARTMENT OF INFORMATION TECHNOLOGY; AMEND VARIOUS STATUTES RELATING TO STATE AGENCY CYBERSECURITY; AND AMEND VARIOUS STATUTES RELATING TO THE EMERGENCY TELEPHONE SERVICE AND THE 911 BOARD, Senate State and Local Government Committee Substitute Adopted 6/26/19, submit the following report:

The House and the Senate agree to the following amendment(s) to the Senate State and Local Government Committee Substitute Adopted 6/26/19, and the House concurs in the Committee Substitute, as amended:

On page 1, lines 5-6, by rewriting those lines to read:

"AMEND VARIOUS STATUTES RELATING TO THE EMERGENCY TELEPHONE SERVICE AND THE 911 BOARD; REPEAL THE REQUIREMENT THAT CABLE SERVICE PROVIDERS MUST PROVIDE CABLE SERVICE WITHOUT CHARGE TO A PUBLIC BUILDING LOCATED WITHIN 125 FEET OF THE PROVIDER'S CABLE SYSTEM; CREATE THE INFORMATION TECHNOLOGY STRATEGY BOARD; REQUIRE TRAINING AND CERTIFICATION OF POLICE TELECOMMUNICATORS; AND CLARIFY THE AUTHORITY OF THE STATE CHIEF INFORMATION OFFICER TO MAKE PERSONNEL DECISIONS RELATING TO EMPLOYEES OF THE DEPARTMENT OF INFORMATION TECHNOLOGY.";

and on page 16, line 26, by rewriting that line to read:

"...
(h) Every local government shall participate in a 911 system. The establishment and";
and

on page 18, line 32, by rewriting that line to read:

"SECTION 10.(a) G.S. 66-360 is repealed.



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SECTION 10.(b) This section becomes effective January 1, 2020.

SECTION 11. Part 2 of Article 15 of Chapter 143B of the General Statutes is amended by adding two new sections to read:

"§ 143B-1337. Information Technology Strategy Board.

(a) Creation; Membership. – The Information Technology Strategy Board is created in the Department of Information Technology. The Board consists of the following members:

- (1) The State Chief Information Officer.
- (2) The State Budget Officer.
- (3) The President of The University of North Carolina.
- (4) The President of the North Carolina Community College System.
- (5) The Secretary of Administration.
- (6) Two citizens of this State with a background in and familiarity with business system technology, information systems, or telecommunications appointed by the Governor.
- (7) Two citizens of this State with a background in and familiarity with business system technology, information systems, or telecommunications appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.
- (8) Two citizens of this State with a background in and familiarity with business system technology, information systems, or telecommunications appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121.
- (9) The State Auditor, who shall serve as a nonvoting member.

Members of the Board appointed by the Governor shall serve terms of four years with the initial term expiring January 1, 2021. Members of the Board appointed by the General Assembly shall serve terms of two years with the initial term expiring January 1, 2021. Members of the Board shall not be employed by or serve on the board of directors or other corporate governing body of any vendor providing information systems, computer hardware, computer software, or telecommunications goods or services to the State. The State CIO shall serve as the chair of the Board. Vacancies in appointments made by the General Assembly shall be filled in accordance with G.S. 120-122. Members of the Board who are employees of State agencies or institutions shall receive subsistence and travel allowances authorized by G.S. 138-6. A majority of the Board constitutes a quorum for the transaction of business. The Department of Information Technology shall provide all clerical and other services required by the Board.

(b) Board Powers and Duties. – The Board shall have the following powers and duties:

- (1) To advise the State CIO on policies and procedures to develop, review, and update the State Information Technology Plan.
- (2) To establish necessary committees to identify and share industry best practices and new development and to identify existing State information technology problems and deficiencies.
- (3) To establish guidelines regarding the review of project planning and management, information sharing, and administrative and technical review procedures involving State-owned or State-supported technology and infrastructure.

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- (4) To establish ad hoc technical advisory groups to study and make recommendations on specific topics, including work groups to establish, coordinate, and prioritize needs.
- (5) To assist the State CIO in recommending to the Governor and the General Assembly a prioritized list of enterprise initiatives for which new or additional funding is needed.
- (6) To recommend business system technology projects to the Department and the General Assembly that meet the following criteria:
 - a. A defined start and end point.
 - b. Specific objectives that signify completion.
 - c. Designed to implement or deliver a unique product, system, or service pertaining to business system technology.
- (7) To develop and maintain a five-year prioritization plan for future business system technology projects.

(c) Meetings. – The Board shall adopt bylaws containing rules governing its meeting procedures. The Board shall meet at least quarterly.

(d) Reports. – The Board shall submit a report on projects that have been recommended, the status of those projects, and the most recent version of its five-year prioritization plan to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division on or before January 1 of each year."

SECTION 12. G.S. 17E-7 reads as rewritten:

"§ 17E-7. Required standards.

(a) Justice officers, other than those set forth in subsection (c1) of this section, shall not be required to meet any requirements of subsections (b) and (c) of this section as a condition of continued employment, nor shall failure of a justice officer to fulfill such requirements make him ineligible for any promotional examination for which he is otherwise eligible if the officer held an appointment prior to July 1, 1983, and is a sworn law-enforcement officer with power of arrest. The legislature finds, and it is hereby declared to be the policy of this Chapter, that such officers have satisfied such requirements by their experience. It is the intent of the Chapter that all justice officers employed at the entry level after the Commission has adopted the required standards shall meet the requirements of this Chapter. All justice officers who are exempted from the required entry level standards by this subsection are subject to the requirements of subsections (b) and (c) of this section as well as the requirements of G.S. 17E-4(a) in order to retain certification.

(b) The Commission shall provide, by regulation, that no person may be appointed as a justice officer at entry level, except on a temporary or probationary basis, unless such person has satisfactorily completed an initial preparatory program of training at a school certified by the Commission or has been exempted from that requirement by the Commission pursuant to this Chapter. Upon separation of a justice officer from a sheriff's department within the temporary or probationary period of appointment, the probationary certification shall be terminated by the Commission. Upon the reappointment to the same department or appointment to another department of an officer who has separated from a department within the probationary period, the officer shall be charged with the amount of time served during his initial appointment and allowed the remainder of the probationary period to complete the basic training requirement. Upon the reappointment to the same department or appointment to another department of an officer who has separated from a department within the probationary period and who has

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remained out of service for more than one year from the date of separation, the officer shall be allowed another probationary period to complete such training as the Commission shall require by rule for an officer returning to service.

(c) In addition to the requirements of subsection (b) of this section, the Commission, by rules and regulations, may fix other qualifications for the employment and retention of justice officers including minimum age, education, physical and mental standards, citizenship, good moral character, experience, and such other matters as relate to the competence and reliability of persons to assume and discharge the responsibilities of the office, and the Commission shall prescribe the means for presenting evidence of fulfillment of these requirements.

Where minimum educational standards are not met, yet the individual shows potential and a willingness to achieve the standards by extra study, they may be waived by the Commission for the reasonable amount of time it will take to achieve the standards required. Upon petition from a sheriff, the Commission may grant a waiver of any provisions of this section (17E-7) for any justice officer serving that sheriff.

(c1) Any justice officer appointed as a telecommunicator at the entry level after March 1, 1998, shall meet all requirements of this Chapter. Any person employed in the capacity of a telecommunicator as defined by the Commission on or before March 1, 1998, shall not be required to meet any entry-level requirements as a condition of continued employment but shall be reported to the Commission for certification. All justice officers who are exempted from the required entry-level standards by this subsection are subject to the requirements of subsections (b) and (c) of this section as well as the requirements of G.S. 17E-4(a) in order to retain certification.

(c2) Effective July 1, 2021, any person employed as a telecommunicator by a municipal police agency shall meet all the requirements for telecommunicators as set forth in this Chapter.

(d) The Commission may issue a certificate evidencing satisfaction of the requirements of subsections (b), (c), and (c1) of this section to any applicant who presents such evidence as may be required by its rules and regulations of satisfactory completion of a program or course of instruction in another jurisdiction."

SECTION 13. G.S. 126-5 is amended by adding a new subsection to read:

"(c15) Notwithstanding any provision of this Chapter to the contrary, the State Chief Information Officer (State CIO) is authorized to do the following:

- (1) Classify or reclassify positions in the Department of Information Technology (DIT) according to the classification system established by the State Human Resources Commission (SHRC) as long as the employee meets the minimum requirements of the classification.
- (2) Set salaries for DIT employees within the salary ranges for the respective position classification established by the SHRC."

SECTION 14. Except as otherwise provided, this act is effective when it becomes law."

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The conferees recommend that the Senate and the House of Representatives adopt this report.

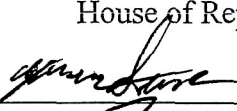
Date Conferees approved report: July 6, 2019.

Conferees for the Senate

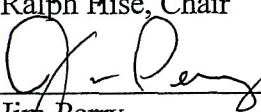
Conferees for the
House of Representatives



Ralph Hise, Chair



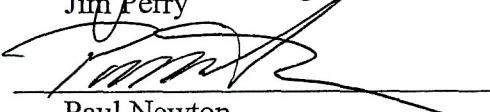
Jason Saine, Chair



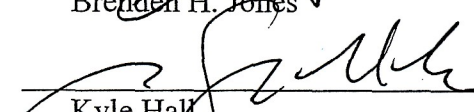
Jim Perry



Brenden H. Jones



Paul Newton



Kyle Hall

SENATE	Submitted	<u>August 6, 2019</u>		
SENATE	ADOPTED	<u>August 7, 2019</u>	(32 / 0)	Message Received _____
	ADOPTED	_____	(/)	Ordered Enrolled _____

PLACED ON CALENDAR FOR

August 7, 2019

House notified
BY SPECIAL MESSENGER

Sarah Holland

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