

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 4624**

BY DELEGATES MILLER, COWLES, BORDER, D. EVANS,  
MOFFATT, FAIRCLOTH, COWLES, MCCUSKEY, SOBONYA  
AND ROHRBACH

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION.

[Introduced February 19, 2016; Referred  
to the Committee on Finance.]

1 A BILL to amend and reenact §5A-6-2 of the Code of West Virginia, 1931, as amended, relating  
2 to information technology projects under the Office of Technology; and raising the  
3 minimum dollar value for an information technology project to qualify as a major  
4 information technology project.

*Be it enacted by the Legislature of West Virginia:*

1 That §5A-6-2 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
2 to read as follows:

**ARTICLE 6. OFFICE OF TECHNOLOGY.**

**§5A-6-2. Definitions.**

1 As used in this article:

2 (a) "Information systems" means computer-based information equipment and related  
3 services designed for the automated transmission, storage, manipulation and retrieval of data by  
4 electronic or mechanical means;

5 (b) "Information technology" means data processing and telecommunications hardware,  
6 software, services, supplies, personnel, maintenance, training and includes the programs and  
7 routines used to employ and control the capabilities of data processing hardware;

8 (c) "Information equipment" includes central processing units, front-end processing units,  
9 miniprocessors, microprocessors and related peripheral equipment, including data storage  
10 devices, networking equipment, services, routers, document scanners, data entry equipment,  
11 terminal controllers, data terminal equipment, computer-based word processing systems other  
12 than memory typewriters;

13 (d) "Related services" includes feasibility studies, systems design, software development  
14 and time-sharing services whether provided by state employees or others;

15 (e) "Telecommunications" means any transmission, emission or reception of signs,  
16 signals, writings, images or sounds of intelligence of any nature by wire, radio or other  
17 electromagnetic or optical systems. The term includes all facilities and equipment performing

18 those functions that are owned, leased or used by the executive agencies of state government;

19 (f) "Chief Technology Officer" means the person holding the position created in section  
20 three of this article and vested with authority to oversee state spending units in planning and  
21 coordinating information systems that serve the effectiveness and efficiency of the state and  
22 individual state spending units and further the overall management goals and purposes of  
23 government;

24 (g) "Technical infrastructure" means all information systems, information technology,  
25 information equipment, telecommunications and related services as defined in this section;

26 (h) "Information technology project" means the process by which telecommunications,  
27 automated data processing, databases, the Internet, management information systems and  
28 related information, equipment, goods and services are planned, procured and implemented;

29 (i) "Major information technology project" means any information technology project  
30 estimated to cost more than ~~\$100,000 or require more than three hundred man hours to complete~~  
31 \$250,000. Major information technology projects do not include equipment-only or software only  
32 purchases in which labor is not necessary; and

33 (j) "Steering committee" means an internal agency oversight committee established jointly  
34 by the Chief Technology Officer and the agency requesting the project, which shall include  
35 representatives from the Office of Technology and at least one representative from the agency  
36 requesting the project.

NOTE: The purpose of this bill is to update the type of projects that must be managed by the Project Management Office. The bill raises the minimum dollar value for an information technology project to qualify as a major information technology project.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.