

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Enrolled

Senate Bill 346

BY SENATORS HALL AND PREZIOSO

[Passed March 8, 2016; in effect 90 days from passage]

1 AN ACT to amend and reenact §5A-6-2 of the Code of West Virginia, 1931, as amended, relating
2 to information technology projects under Office of Technology; and raising minimum dollar
3 value for information technology project to qualify as major 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 and computer-based word processing systems
12 other 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 \$250,000. Major information technology projects do not include
31 equipment-only or software-only purchases in which labor is not necessary; and

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

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2016.

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Governor