

## HOUSE BILL NO. HB0286

ETS consolidation.

Sponsored by: Representative(s) Nicholas

A BILL

for

1 AN ACT relating to the administration of government;  
2 consolidating the department of enterprise technology  
3 services and the duties of the state chief information  
4 officer into the department of administration and  
5 information; making conforming amendments; providing  
6 applicability; transferring employees; transferring  
7 appropriations; providing rulemaking authority; requiring  
8 reports; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.**

13

14 (a) The department of enterprise technology services  
15 and the office of state chief information officer are  
16 transferred by a type 1 transfer to the division of

1 enterprise technology services within the department of  
2 administration and information created by this act. All  
3 positions, personnel, appropriations, property, equipment  
4 and authority in agencies and programs transferred to the  
5 department of administration and information by this act  
6 are under the control of the department as provided by this  
7 act. The validity of rules, regulations, contracts,  
8 agreements or other obligations of agencies or programs  
9 transferred by this act is not affected by this act.

10

11 (b) Notwithstanding any other provision of law, the  
12 governor may authorize the use of authorized positions  
13 within the department of enterprise technology services and  
14 the office of the state chief information officer and funds  
15 appropriated to those agencies to staff and fund the  
16 enterprise technology services division within the  
17 department of administration and information for  
18 the remainder of the fiscal biennium ending June 30,  
19 2024. For the fiscal biennium commencing July 1, 2024, the  
20 director of the department of administration and  
21 information shall submit an estimated budget for the  
22 division of enterprise technology services to the governor

1 and the governor shall submit a recommended budget for the  
2 division to the joint appropriations committee.

3

4 (c) Notwithstanding W.S. 9-2-3222(b), the governor  
5 and director of the department of administration and  
6 information may appoint a temporary state chief information  
7 officer to serve as the administrator of the enterprise  
8 technology services division upon the effective date of  
9 this act. Thereafter the governor shall submit any  
10 proposed appointment of the state chief information  
11 officer to the senate in accordance with W.S. 28-12-101  
12 through 28-12-103. The appointment shall only be terminated  
13 with the consent of the governor.

14

15 (d) Upon the effective date of this act, any  
16 reference in Wyoming statutes to a function assigned to the  
17 department of enterprise technology services shall be  
18 carried out by the division of enterprise technology  
19 services within the department of administration and  
20 information. The department of administration and  
21 information shall promulgate rules to effectuate the  
22 purposes of this act.

23

1           **Section 2.** W.S. 9-2-3222 is created to read:

2

3           **9-2-3222. Duties performed through the enterprise**  
4 **technology services division.**

5

6           (a) As used in this section:

7

8                   (i) "Agency" means an office, department, board,  
9 commission, council, institution, separate operating agency  
10 or any other operating unit of the executive branch of  
11 state government. "Agency" shall not include the University  
12 of Wyoming or community colleges;

13

14                   (ii) "Data analytics" means data analysis,  
15 including the ability to use the data for assessment and  
16 extraction of policy relevant information;

17

18                   (iii) "Department" means the department of  
19 administration and information;

20

21                   (iv) "Division" means the division of enterprise  
22 technology services within the department;

23

1           (v) "Enterprise data analytics" means data  
2 analytics which affect or are conducted by more than one  
3 (1) agency;

4

5           (vi) "Executive branch" means the executive  
6 department of state government established by article 2,  
7 section 1 of the Wyoming constitution;

8

9           (vii) "Information processing software" means  
10 all purchased, procured or developed software for use on  
11 any information technology equipment;

12

13           (viii) "Information technology equipment" means  
14 all business and personal computing devices, intelligent  
15 handheld devices including tablets and smart phones,  
16 printers and other related peripheral equipment;

17

18           (ix) "Judiciary" means the judicial department  
19 of state government established by article 2, section 1 of  
20 the Wyoming constitution;

21

1           (x) "Legislature" means the legislative  
2 department of state government established by article 2,  
3 section 1 of the Wyoming constitution;

4

5           (xi) "Telecommunications transport services"  
6 means the telecommunication transmission facilities under  
7 which voice, data and video communications are distributed  
8 between distant locations for use by state agencies,  
9 institutions and educational institutions on a shared  
10 basis.

11

12           (b) There is created the enterprise technology  
13 services division within the department of administration  
14 and information. The division shall carry out the duties  
15 in this section and as otherwise provided by law. The  
16 governor and director of the department shall appoint an  
17 administrator of the division with the advice and consent  
18 of the senate whose title shall be state chief information  
19 officer.

20

21           (c) In addition to other duties prescribed by law,  
22 the department through the state chief information officer  
23 and the enterprise technology services division shall:

1

2 (i) Establish and promulgate rules and  
3 regulations governing the use and funding of  
4 telecommunications services, equipment, software and  
5 networks by agencies;

6

7 (ii) In consultation with state agencies and  
8 educational institutions, develop recommendations for a  
9 current and long-range telecommunications transport service  
10 plan for state government and higher education involving  
11 telephone, radio, microwave, facsimile, closed circuit  
12 television, teleconferencing, interactive educational  
13 training, public radio, public television, data  
14 communications, transmission circuits, fiberoptics,  
15 satellites and cellular radio and the integration of these  
16 mediums into applicable telecommunications networks. The  
17 plan shall be submitted to the governor for approval;

18

19 (iii) Administer the approved current and  
20 long-range plan for use of telecommunications by agencies  
21 and coordinate the telecommunications transport service  
22 network;

23

1           (iv) Inventory current telecommunications  
2 infrastructure of agencies, solicit comments and  
3 recommendations on needs, practices and technologies for  
4 providing telecommunications services in the most efficient  
5 manner possible, accommodate economic growth and  
6 development in the state and enhance educational  
7 opportunities at all levels of instruction;

8

9           (v) Review all existing and future agencies  
10 telecommunications planning, networks, systems and programs  
11 and recommend priorities therefor in accordance with the  
12 purposes of this section;

13

14           (vi) As appropriate, coordinate the acquisition  
15 of compatible telecommunications equipment, software and  
16 licensure for telecommunications transport service networks  
17 with agencies and with educational institutions;

18

19           (vii) Establish telecommunications procedures,  
20 standards and records for management of telecommunications  
21 transport service networks and facilities for agencies;

22



1           (viii) Review, assess and ensure compliance with  
2 federal and state telecommunications regulations governing  
3 the needs and functions of agencies for telecommunication  
4 transport services;

5

6           (ix) Provide telecommunications services  
7 including billing, installation and repair of telephone  
8 services including interstate and intrastate long distance,  
9 to agencies;

10

11           (x) Coordinate telecommunications network  
12 training for agencies;

13

14           (xi) Annually apply to the universal service  
15 administrative company under the federal communications  
16 commission for amounts available to the state under the  
17 schools and libraries program of the universal service  
18 fund. All federal funds received by the state from the  
19 schools and libraries program of the universal service fund  
20 shall be deposited into the school foundation program  
21 account.

22

23           (d) Notwithstanding subsection (c) of this section:

1

2 (i) The director of the Wyoming department of  
3 transportation shall administer and control the operation,  
4 maintenance and conduct of the two-way, land-based mobile  
5 and related facilities for the public safety  
6 radio-microwave systems specifically provided by the  
7 department and performed by radio technicians, dispatchers  
8 and telephone operators. The department shall provide and  
9 accommodate agency needs as approved jointly by the  
10 department and the agency and as agency budgets allow;

11

12 (ii) The attorney general shall administer and  
13 control the operation and conduct of the criminal law  
14 enforcement system and shall coordinate statewide  
15 telecommunications network services under this system  
16 through the department;

17

18 (iii) The University of Wyoming and community  
19 college districts shall administer the operation and  
20 control of telephone data and video systems on their  
21 respective campuses and the division shall coordinate  
22 statewide telecommunications network services under these  
23 systems;

1

2           (iv) Telecommunications transport service  
3 requirements for any agency and educational institutions  
4 shall be coordinated through the division;

5

6           (v) Any public broadcasting service operating in  
7 the state shall be responsible for its operational services  
8 and federal licensing. The division shall assist in the  
9 coordination of any required statewide telecommunications  
10 transport services as appropriate;

11

12           (vi) The Wyoming department of transportation  
13 shall coordinate its statewide telecommunications transport  
14 service requirements for accessing the division's state  
15 unified network;

16

17           (vii) An agency may independently contract with  
18 a private service provider to obtain telecommunications  
19 services, equipment, software and networks, provided:

20

21           (A) The services, equipment and software  
22 meet compatibility standards established by the division;  
23 and

1

2 (B) The agency's action will result in at  
3 least ten percent (10%) savings compared to the cost of  
4 similar services, equipment and software provided through  
5 the division;

6

7 (C) The action is approved as provided by  
8 subsection (j) of this section.

9

10 (e) The division may, through the infrastructure  
11 network developed under the statewide education technology  
12 plan in accordance with W.S. 21-2-202(a)(xx), contract with  
13 one (1) or more telecommunications providers to provide  
14 telecommunications services to:

15

16 (i) Private schools if the division determines  
17 network capacity is sufficiently available and private  
18 schools accessing the network reimburse the division for  
19 the costs of services provided under this subsection,  
20 including proportionate overhead and administrative costs;

21

1           (ii) Private health care providers if services  
2 are requested by the department of health under this  
3 subsection. The department of health shall:

4

5           (A) Determine health care services  
6 necessary for the effective and efficient operation of a  
7 telehealth network in the state;

8

9           (B) Notify the division in writing of the  
10 services deemed necessary;

11

12           (C) Reimburse the division for  
13 costs incurred for the provision of telecommunications  
14 services under this subsection from funds available for  
15 this purpose, including proportionate overhead and  
16 administrative costs;

17

18           (D) Develop charges for telecommunication  
19 services that cover the costs of the provision of  
20 telecommunication services to private health care  
21 providers; and

22

1                   (E) In providing or facilitating the  
2 provision of services under this subsection, the department  
3 of health shall determine that services are not reasonably  
4 available from other sources.

5  
6                   (f) Nothing in this section shall be construed to  
7 authorize the division to regulate or otherwise have any  
8 jurisdiction or authority over nongovernmental providers of  
9 telecommunications services or broadband services. Nothing  
10 in this section shall be construed to authorize the  
11 division or the state to be a telecommunications services  
12 provider to the private sector. To the extent a network is  
13 developed and implemented under subsection (c) of this  
14 section to provide telecommunications transport services  
15 for state government and higher education, rather than  
16 purchasing facilities or providing its own communications  
17 services for the creation and operation of the unified  
18 network, the state of Wyoming shall purchase services from  
19 commercial communications carriers to the fullest extent  
20 reasonably feasible. Such a network is limited to use only  
21 by:

22

1           (i) The executive, legislative and judicial  
2 branches of Wyoming state government, including the  
3 University of Wyoming and community colleges. In relation  
4 to use of this network, "Wyoming state government" does not  
5 include local governments, cities, towns, counties,  
6 hospitals, joint powers boards, special districts or other  
7 local governmental entities; and

8

9           (ii) Wyoming public schools and public  
10 libraries.

11

12           (g) The division, through the state chief information  
13 officer, shall carry out the following coordination and  
14 management functions:

15

16           (i) Develop a biennial information technology  
17 plan for the executive branch. The division may inventory  
18 agency software, hardware, servers and data centers as it  
19 determines necessary to develop the plan, using existing  
20 information available to the division and as supplemented  
21 by agencies upon request of the division;

22

1           (ii) Implement and maintain an information  
2 technology governance program for the agencies;

3

4           (iii) Establish review criteria for the agencies  
5 information technology projects, procurements and  
6 purchases;

7

8           (iv) Develop and implement recommendations for  
9 the proper management of agencies information technology  
10 resources;

11

12           (v) Review and make recommendations to the  
13 governor concerning information technology budget requests  
14 made by agencies;

15

16           (vi) Adopt information technology policies and  
17 standards and ensure agency compliance with the policies  
18 and standards;

19

20           (vii) Recommend information technology  
21 procurement improvements;

22



1           (viii) Develop and promote information  
2 technology training programs for all branches of  
3 government;

4

5           (ix) Encourage information technology  
6 coordination, information sharing and collaboration among  
7 all branches and levels of government in Wyoming;

8

9           (x) Enhance geographic information systems  
10 coordination among all governmental users of geographic  
11 information systems;

12

13           (xi) Carry out the duties prescribed by W.S.  
14 9-2-2501;

15

16           (xii) Enhance statewide broadband adoption and  
17 coordination among all governmental users in coordination  
18 with the Wyoming business council and its broadband  
19 advisory council;

20

21           (xiii) Advise the governor and the legislature  
22 on technology and telecommunications matters;

23

1           (xiv) Establish, maintain and annually evaluate  
2 a quality management model. The quality management model  
3 shall include training and assurances for data privacy,  
4 protection and use throughout the agency and shall track  
5 customer feedback on technology services and oversight. The  
6 division shall involve the agencies in assessment of needs,  
7 successes and areas of improvement and shall produce  
8 customer satisfaction and performance reports. The division  
9 shall report its findings from the quality management model  
10 in the department's biennial budget request submitted under  
11 W.S. 9-2-1013.

12

13           (h) The University of Wyoming, community colleges,  
14 and the judicial and legislative departments of state  
15 government may adhere to the standards, policies and plans  
16 developed pursuant to subsection (f) of this section to the  
17 extent feasible, as determined by the entity or the  
18 department of government, as applicable.

19

20           (j) The division shall carry out the following  
21 oversight and approval functions:

22

1           (i) Review agency expenditure requests for  
2 information technology or telecommunications personnel,  
3 hardware or software or contractual services for  
4 information technology if the expenditure exceeds the  
5 maximum amount established by division policy for small  
6 purchases. No funds for purchase in excess of the maximum  
7 amount shall be expended until the state chief information  
8 officer has approved the expenditure. Upon request for  
9 expenditure, the state chief information officer shall  
10 review the request and shall:

11

12           (A) Disapprove a request which fails to  
13 meet existing division standards, security, privacy and  
14 procurement policies; and

15

16           (B) If the state chief information officer  
17 determines that a less expensive alternative to effectively  
18 accomplish the need is available, approve the request only  
19 for the lesser amount.

20

21           (ii) Review agency expenditures for information  
22 technology or telecommunications personnel, hardware or  
23 software or contractual services for information technology

1 which are within the maximum amount established by division  
2 policy for small purchases as determined necessary by  
3 policy of the state information officer, approved by the  
4 director. Agencies shall provide information as requested  
5 by the division regarding small purchases;

6

7 (iii) Establish and enforce data security and  
8 privacy policies and standards for the state data  
9 infrastructure. These provisions shall be the minimum  
10 security and privacy requirements adhered to by all  
11 agencies. Agencies may choose to set additional security  
12 and privacy requirements to exceed but not in lieu of or  
13 that in any way interfere with the standards set by the  
14 division;

15

16 (iv) Establish policies and standards for  
17 enterprise data analytics;

18

19 (v) All computer purchases made via the  
20 division's state technology replacement program shall be  
21 made in accordance with the provisions of this subsection,  
22 using standardized pricing established by the program. All

1 funds appropriated for computer acquisition shall be  
2 restricted and not expended for any other purpose.

3

4           **Section**                   3. W.S.                   7-19-106(a)(xxvii),  
5 7-19-201(a)(xxiv),           9-2-117(a)(vii)           and           (viii),  
6 9-2-1005(a)(xii)(intro) and (B), 9-2-1104(a)(i) and (iii),  
7 9-2-2008(c) by creating a new paragraph (iii), 9-2-2501(b),  
8 (c)(intro) and (d), 9-2-3202(d) by creating a new paragraph  
9 (xi), 9-4-217(h)(intro), 18-3-402(a)(xxv), 21-2-202(a)(xx),  
10 (xxxiv)(intro), (J) and (xxxvii)(intro), 34-1-404(a),  
11 34-1-405(a)           and           (b)(intro),           37-15-104(b),  
12 40-21-118(b)(intro) and 40-21-119 are amended to read:

13

14           **7-19-106. Access to, and dissemination of,**  
15 **information.**

16

17           (a) Criminal history record information shall be  
18 disseminated by criminal justice agencies in this state,  
19 whether directly or through any intermediary, only to:

20

21                           (xxvii) The department of ~~enterprise technology~~  
22 ~~services~~ administration and information for purposes of

1 obtaining background information on prospective and current  
2 employees in the enterprise technology services division;

3

4 **7-19-201. State or national criminal history record**  
5 **information.**

6

7 (a) The following persons shall be required to submit  
8 to fingerprinting in order to obtain state and national  
9 criminal history record information:

10

11 (xxiv) Department of administration and  
12 information enterprise technology services division  
13 employees or applicants for employment who have access to  
14 confidential information or records, if required by the  
15 state chief information officer as a condition for a  
16 position with the ~~department of~~ enterprise technology  
17 services division;

18

19 **9-2-117. Office of rural health created; duties.**

20

21 (a) The office of rural health is created within the  
22 department of health. The office shall:

23

1           (vii) In collaboration with the state health  
2 officer and the state chief information officer or their  
3 designees, coordinate with appropriate state agencies to  
4 establish incentives to implement, promote and facilitate  
5 the voluntary exchange of secure telemedicine/telehealth  
6 network information between and among individuals, entities  
7 and agencies that are providing and paying for services  
8 authorized under the Medicaid program, in conformity with  
9 rules adopted by the ~~state chief information officer~~  
10 enterprise technology services division within the  
11 department of administration and information;  
12

13           (viii) In collaboration with the state health  
14 officer and the state chief information officer or their  
15 designees, develop and promote a common direction for a  
16 statewide interoperable telemedicine/telehealth network  
17 among state agencies, in conformity with rules adopted by  
18 the ~~department of~~ enterprise technology services division  
19 within the department of administration and information;  
20

21           **9-2-1005. Payment of warrants; budget powers of**  
22 **governor; agency budgets; federal funds; new employees.**  
23

1 (a) No warrant shall be drawn by the auditor or paid  
2 by the treasurer:

3

4 (xii) If the expenditure is for data processing  
5 hardware, software, consultants or training and exceeds the  
6 small purchase amount established by the ~~department of~~  
7 enterprise technology services division within the  
8 department of administration and information, unless  
9 specifically approved by one (1) of the following:

10

11 (B) The state chief information officer. A  
12 purchase shall not be approved pursuant to this  
13 subparagraph if it fails to conform with the criteria  
14 developed pursuant to W.S. ~~9-2-2906(b)(iii)~~  
15 9-2-3222(g)(iii);

16

17 **9-2-1104. Commission; powers and duties; advisory**  
18 **capacity to promote system development; public meetings;**  
19 **clerical and administrative support.**

20

21 (a) The commission shall:

22



1           (i) Work with the state budget department, the  
2 ~~department of~~ enterprise technology services division  
3 within the department of administration and information,  
4 the department of homeland security and the department of  
5 transportation in an advisory capacity to promote the  
6 development, improvement and efficiency of public safety  
7 communications systems in the state;

8  
9           (iii) Submit a plan for statewide system  
10 networking to the ~~department of~~ enterprise technology  
11 services division within the department of administration  
12 and information for inclusion in the statewide  
13 telecommunications plan developed pursuant to W.S.  
14 ~~9-2-2906(g)~~ 9-2-3222(c);

15  
16           **9-2-2008. Department of administration and**  
17 **information created; director appointed; structure.**

18  
19           (c) The following agencies are assigned to the  
20 department of administration and information under a Type 1  
21 transfer:

22

1                    (iii) Department of enterprise technology  
2 services.

3  
4            **9-2-2501. Electronic transaction of business.**

5  
6            (b) The ~~state chief~~ enterprise technology services  
7 division within the department of administration and  
8 information ~~officer~~ may provide for any state agency  
9 business to be conducted electronically in accordance with  
10 rules adopted under this section and in conformity with the  
11 provisions of the Uniform Electronic Transactions Act in  
12 title 40, chapter 21. No state agency shall be required by  
13 the ~~chief information officer~~ division to conduct business  
14 electronically. Any state agency desiring to conduct  
15 business electronically shall adopt the procedures  
16 contained in rules of the ~~department of~~ enterprise  
17 technology services division.

18  
19            (c) The ~~department of~~ enterprise technology services  
20 division may enact rules ~~the chief information officer~~  
21 ~~deems as~~ necessary to implement this section subject to the  
22 provisions of the Uniform Electronic Transactions Act in  
23 title 40, chapter 21. The rules shall at a minimum:

1

2 (d) In adopting rules the ~~department of~~ enterprise  
3 technology services division shall consider whether the  
4 rule will allow for efficient, safe, secure and accurate  
5 transactions.

6

7 **9-2-3202. Definitions; powers generally; duties of**  
8 **governor; provisions construed; cooperation with**  
9 **legislature and judiciary; divisions enumerated.**

10

11 (d) The department shall consist of the following  
12 divisions in addition to the office of the director of the  
13 department:

14

15 (xi) Enterprise technology services division.

16

17 **9-4-217. Uniform state accounting system.**

18

19 (h) The ~~department of~~ enterprise technology services  
20 division within the department of administration and  
21 information shall contract with a payment processor for  
22 uniform statewide payment processing services that each  
23 agency shall utilize, except as specifically prohibited by

1 law or as otherwise provided in this subsection, to allow  
2 any tax, assessment, license, permit, fee, fine, or other  
3 money owing to the state or collectible by the state on  
4 behalf of another unit of government to be paid by  
5 negotiable paper, or in payment of any bail deposit or  
6 other trust deposit. The statewide payment processor  
7 contract shall establish a uniform rate or uniform fee for  
8 the costs of processing payment transactions for all  
9 agencies. If the administrative head of a division within  
10 an agency determines that it is not feasible to utilize the  
11 statewide payment processor contract, the administrative  
12 head may request a waiver from the state chief information  
13 officer. If the waiver is granted, the agency may, except  
14 as otherwise prohibited by law, contract with a payment  
15 processor for the purposes specified in this subsection and  
16 as reasonably limited by the waiver. The University of  
17 Wyoming, Wyoming community colleges and the judicial and  
18 legislative departments of state government may, except as  
19 otherwise prohibited by law, contract with a payment  
20 processor or utilize the statewide payment processor  
21 contract for the purposes specified in this subsection.  
22 The acceptance of negotiable paper by the state or any of  
23 its agencies under this subsection shall be in accordance

1 with and subject to the same terms and conditions provided  
2 by W.S. 18-3-505. Any fees assessed for processing a  
3 payment under this subsection shall be borne by the person  
4 tendering payment. Any fees borne by the person tendering  
5 payment pursuant to this subsection shall only be used by  
6 the collecting agency to pay the processing costs of  
7 rendering the payment transaction. The collecting agency  
8 shall clearly and conspicuously disclose any debit or  
9 credit card fees assessed for processing payment  
10 transactions under this subsection at the time the fees are  
11 collected, which shall include disclosure on any website  
12 used by the agency to accept payments. As used in this  
13 subsection:

14

15 **18-3-402. Duties generally.**

16

17 (a) The county clerk shall:

18

19 (xxv) If the county clerk accepts electronic  
20 recordings of deeds, mortgages, conveyances, patents,  
21 certificates, instruments and other like documents,  
22 establish procedures to govern the electronic recordings  
23 consistent with rules promulgated by the ~~department of~~

1 enterprise technology services division within the  
2 department of administration and information pursuant to  
3 W.S. 34-1-405.

4

5 **21-2-202. Duties of the state superintendent.**

6

7 (a) In addition to any other duties assigned by law,  
8 the state superintendent shall:

9

10 (xx) In cooperation with the state board, the  
11 Wyoming community college commission, University of  
12 Wyoming, public service commission, department of  
13 transportation, ~~department of~~ enterprise technology  
14 services division within the department of administration  
15 and information, public libraries, school district boards  
16 of trustees, classroom teachers and other appropriate  
17 groups identified by the superintendent, develop and  
18 implement a statewide education technology plan which shall  
19 address staff training, curriculum integration and network  
20 connectivity in and between schools, communities and  
21 between the state and the world, and which shall have as  
22 its goal the provision of equal access to educational  
23 instruction and information. The statewide technology

1 education plan may include telecommunications services  
2 provided by the ~~department of~~ enterprise technology  
3 services division within the department of administration  
4 and information pursuant to W.S. ~~9-2-2906(g)~~ 9-2-3222(c);

5  
6 (xxxiv) With the ~~department of~~ enterprise  
7 technology services division within the department of  
8 administration and information, establish criteria for the  
9 collection, storage, management and reporting of department  
10 of education data including, but not limited to teacher  
11 certification, statewide education accountability and  
12 assessment and the administration of the school finance  
13 system. In carrying out this paragraph, the state  
14 superintendent and the ~~department of~~ enterprise technology  
15 services division within the department of administration  
16 and information shall develop a data privacy and security  
17 plan that includes:

18  
19 (J) All personally identifiable student  
20 information being reported to the department of education  
21 or the ~~department of~~ enterprise technology services  
22 division within the department of administration and  
23 information by a student's Wyoming student record

1 identification and locator number as issued by the  
2 department of education; and

3

4 (xxxvii) In consultation with the ~~department of~~  
5 enterprise technology services division within the  
6 department of administration and information, the  
7 department of audit and school districts, establish and  
8 maintain guidelines for school districts for the  
9 collection, access, privacy, security and use of student  
10 data by school districts. The guidelines shall, at a  
11 minimum, be in compliance with the federal Family  
12 Educational Rights and Privacy Act and other relevant  
13 federal and state laws and include the following:

14

15 **34-1-404. Recording of documents.**

16

17 (a) A county clerk who implements any of the  
18 functions in this section shall do so in compliance with  
19 rules promulgated by the ~~department of~~ enterprise  
20 technology services division within the department of  
21 administration and information pursuant to W.S. 34-1-405.

22

23 **34-1-405. Administration and standards.**



1

2 (a) The ~~department of~~ enterprise technology services  
3 division within the department of administration and  
4 information shall promulgate rules in accordance with the  
5 Wyoming Administrative Procedure Act to implement this act.

6

7 (b) The ~~department of~~ enterprise technology services  
8 division within the department of administration and  
9 information in adopting rules pursuant to this section  
10 shall consider:

11

12 **37-15-104. Services not regulated by this title.**

13

14 (b) In addition to subsection (a) of this section,  
15 telecommunications service does not include, and the  
16 provisions of this title do not apply to telecommunications  
17 services provided by the ~~department of~~ enterprise  
18 technology services division within the department of  
19 administration and information to private health care  
20 providers under W.S. ~~9-2-2906(j)~~ 9-2-3222(e).

21

22 **40-21-118. Acceptance and distribution of electronic**  
23 **records by governmental agencies.**

1

2 (b) To the extent that a governmental agency uses  
3 electronic records and electronic signatures under  
4 subsection (a) of this section, the ~~department of~~  
5 enterprise technology services division within the  
6 department of administration and information shall  
7 promulgate rules in accordance with the Wyoming  
8 Administrative Procedure Act to specify for state agencies:

9

10 **40-21-119. Interoperability.**

11

12 The ~~department of~~ enterprise technology services division  
13 within the department of administration and information in  
14 adopting standards pursuant to W.S. 40-21-118 may encourage  
15 and promote consistency and interoperability with similar  
16 requirements adopted by other governmental agencies of this  
17 and other states and the federal government and  
18 nongovernmental persons interacting with governmental  
19 agencies of this state. If appropriate, those standards may  
20 specify differing levels of standards from which  
21 governmental agencies of this state may choose in  
22 implementing the most appropriate standard for a particular  
23 application.

1

2           **Section 4.** W.S. 9-2-2019 and 9-2-2901 through  
3 9-2-2907 are repealed.

4

5           **Section 5.** The department of administration and  
6 information shall report to the joint appropriations  
7 committee on all aspects of the transfer authorized under  
8 this act not later than December 1, 2023. The report shall  
9 include any statutory changes needed to fully effectuate  
10 the purposes of this act. The joint appropriations  
11 committee may introduce legislation during the 2024 budget  
12 session of the Wyoming legislature pursuant to a report  
13 received under this section or on its own initiative to  
14 fully effectuate this act.

15

16           **Section 6.** This act is effective immediately upon  
17 completion of all acts necessary for a bill to become law  
18 as provided by Article 4, Section 8 of the Wyoming  
19 Constitution.

20

21

(END)