

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Enterprise technology services division.

Sponsored by: Joint Appropriations Committee

A BILL

for

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

9

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

11 \*\*\*\*\*

12 **STAFF COMMENT**

13 This bill draft is prepared from the engrossed version of 2023 House Bill 286. In  
14 addition, it contains the two amendments adopted by the Senate and technical changes.

15

1 This bill draft is effective immediately as was House Bill 286. However, the Committee  
2 may wish to consider that a July 1, 2024 effective date would allow for a more orderly  
3 transition for budgetary and practical purposes.

4 \*\*\*\*\*  
5

6 **Section 1.**

7

8 (a) The department of enterprise technology services  
9 and the office of state chief information officer are  
10 transferred by a type 1 transfer, as defined in W.S.  
11 9-2-1707(b)(i), to the department of administration and  
12 information, enterprise technology services division, as  
13 created by this act. All positions, personnel,  
14 appropriations, property, equipment and authority in  
15 agencies and programs transferred to the department of  
16 administration and information by this act are under the  
17 control of the department of administration and information  
18 as provided by this act. The validity of rules,  
19 regulations, contracts, agreements or other obligations of  
20 agencies or programs transferred by this act is not  
21 affected by this act.

22

23 (b) Notwithstanding any other provision of law, the  
24 governor may authorize the use of authorized positions  
25 within the department of enterprise technology services and

1 the office of the state chief information officer, and  
 2 funds appropriated to those agencies, to staff and fund the  
 3 enterprise technology services division within the  
 4 department of administration and information, as created by  
 5 this act, for the remainder of the fiscal biennium ending  
 6 June 30, 2024 and the fiscal biennium commencing July 1,  
 7 2024. For the fiscal biennium commencing July 1, 2026, the  
 8 director of the department of administration and  
 9 information shall submit a budget request for the  
 10 enterprise technology services division as provided by W.S.  
 11 9-2-1010 through 9-2-1014.

12

13 \*\*\*\*\*

14 **STAFF COMMENT**

- 15 Note that departments are generally structured as follows:
- 16 • The principal operating unit of a department is a division headed by an
  - 17 administrator;
  - 18 • The principal operating unit of a division is a program headed by a manager;
  - 19 • The principal operating unit of a program is a section headed by a supervisor;
  - 20 • The principal operating unit of a section is a subsection headed by a chief.

21

22 See W.S. 9-2-1707(a)(iii).

23

24 This bill draft does not currently address how existing operating units and administrator  
 25 and manager positions will be transferred or consolidated. (E.g., whether administrator  
 26 positions will be reclassified as manager positions, etc.) The Committee may wish to  
 27 consider whether the bill draft should address this topic.

28 \*\*\*\*\*

29

1 (c) Notwithstanding W.S. 9-2-3222(b), as created by  
 2 section 2 this act, the governor and director of the  
 3 department of administration and information may jointly  
 4 appoint a temporary state chief information officer to  
 5 serve as the administrator of the enterprise technology  
 6 services division upon the effective date of this act. The  
 7 temporary appointment shall only be terminated with the  
 8 consent of the governor as provided in W.S. 9-1-202.  
 9 Thereafter, the governor shall submit any proposed  
 10 appointment of the state chief information officer to the  
 11 senate in accordance with W.S. 28-12-101 through 28-12-103.

12

13 \*\*\*\*\*

14 **STAFF COMMENT**

15 Currently, the State Chief Information Officer is appointed by the Governor with the  
 16 advice and consent of the Senate and may be removed by the governor. W.S. 9-2-2903.  
 17 However, the Director of the Department of Administration and Information, who is also  
 18 appointed by the Governor with the advice and consent of the Senate and who may be  
 19 removed by the governor, is authorized to appoint the administrators for each division,  
 20 subject to the Governor's approval. W.S. 9-2-3203.

21  
 22 The Committee may wish to consider whether the State Chief Information Officer should  
 23 be appointed and removed the same as other administrators.

24 \*\*\*\*\*

25

26 (d) Upon the effective date of this act, any  
 27 reference in Wyoming statutes to a function assigned to the  
 28 department of enterprise technology services shall be  
 29 carried out by the enterprise technology services division

1 within the department of administration and information.  
2 The department of administration and information shall  
3 promulgate rules to effectuate the purposes of this act.

4

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

6

7 **9-2-3222. Duties performed through the enterprise**  
8 **technology services division.**

9

10 (a) As used in this section:

11

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

17

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

21

22 (iii) "Department" means the department of  
23 administration and information;

1

2 (iv) "Division" means the enterprise technology  
3 services division within the department;

4

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

8

9 (vi) "Executive branch" means the executive  
10 department of state government established by article 2,  
11 section 1 of the Wyoming constitution;

12

13 (vii) "Information processing software" means  
14 all purchased, procured or developed software for use on  
15 any information technology equipment;

16

17 (viii) "Information technology equipment" means  
18 all business and personal computing devices, intelligent  
19 handheld devices including tablets and smart phones,  
20 printers and other related peripheral equipment;

21

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

4

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

8

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

14

15           (b) There is created the enterprise technology  
16 services division within the department of administration  
17 and information. The division shall carry out the duties  
18 in this section and as otherwise provided by law.  
19 Notwithstanding W.S. 9-2-3203(b), the governor and director  
20 of the department shall jointly appoint an administrator of  
21 the division, with the advice and consent of the senate,  
22 whose title shall be state chief information officer.

23

1 \*\*\*\*\*

2 **STAFF COMMENT**

3 Existing law copied below provides that the director of a department may appoint the  
4 administrators for each of the divisions with the approval of the governor.

5  
6 9-2-3203. Director and division administrators;  
7 appointment; removal; powers of director.

8  
9 (a) The governor shall appoint a director of the  
10 department with the advice and consent of the senate who  
11 shall be the department's executive and administrative  
12 head, and who shall hold an ex officio seat on all boards  
13 and councils which advise or are within the department.

14  
15 (b) With the approval of the governor, the director  
16 may appoint administrators for each of the divisions. The  
17 governor may remove the director and division  
18 administrators as provided in W.S. 9-1-202.

19 \*\*\*\*\*

20  
21 (c) In addition to other duties prescribed by law,  
22 the division shall:

23  
24 (i) Establish and promulgate rules governing the  
25 use and funding of telecommunications services, equipment,  
26 software and networks by agencies;

27  
28 (ii) In consultation with relevant agencies and  
29 educational institutions, develop recommendations for a  
30 current and long-range telecommunications transport service  
31 plan for state government and higher education involving  
32 telephone, radio, microwave, facsimile, closed circuit



1 television, teleconferencing, interactive educational  
2 training, public radio, public television, data  
3 communications, transmission circuits, fiberoptics,  
4 satellites and cellular radio and the integration of these  
5 mediums into applicable telecommunications networks. The  
6 plan shall be submitted to the governor for approval;

7

8 (iii) Administer the approved current and  
9 long-range plan for use of telecommunications by agencies  
10 and coordinate the telecommunications transport service  
11 network;

12

13 (iv) Inventory current telecommunications  
14 infrastructure of agencies, solicit comments and  
15 recommendations on needs, practices and technologies for  
16 providing telecommunications services in the most efficient  
17 manner possible, accommodate economic growth and  
18 development in the state and enhance educational  
19 opportunities at all levels of instruction;

20

21 (v) Review all existing and future agencies'  
22 telecommunications planning, networks, systems and programs

1 and recommend priorities therefor in accordance with the  
2 purposes of this section;

3

4 (vi) As appropriate, coordinate the acquisition  
5 of compatible telecommunications equipment, software and  
6 licensure for telecommunications transport service networks  
7 with agencies and with educational institutions;

8

9 (vii) Establish telecommunications procedures,  
10 standards and records for the management of  
11 telecommunications transport service networks and  
12 facilities for agencies;

13

14 (viii) Review, assess and ensure compliance with  
15 federal and state telecommunications regulations governing  
16 the needs and functions of agencies for telecommunication  
17 transport services;

18

19 (ix) Provide telecommunications services  
20 including billing, installation and repair of telephone  
21 services, including interstate and intrastate long distance  
22 services, to agencies;

23

1           (x) Coordinate telecommunications network  
2 training for agencies;

3

4           (xi) Require employees or applicants for  
5 employment who have access to confidential information or  
6 records to submit to fingerprinting in order to obtain  
7 state and national criminal history record information as a  
8 condition for employment with the department in accordance  
9 with W.S. 7-19-106 and 7-19-201.

10

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

12

13           (i) The director of the Wyoming department of  
14 transportation shall administer and control the operation,  
15 maintenance and conduct of the two-way, land-based mobile  
16 and related facilities for the public safety  
17 radio-microwave systems specifically provided by the  
18 department of transportation and operated by radio  
19 technicians, dispatchers and telephone operators. The  
20 department of transportation shall provide and accommodate  
21 agency needs as approved jointly by the department of  
22 transportation and the agency and as agency budgets allow;

23

1 \*\*\*\*\*

2 **STAFF COMMENT**

3 The existing statute, W.S. 9-2-2906(h)(i) reads as follows:

4  
5 (h) Notwithstanding subsection (g) of this section:

6  
7 (i) The director of the Wyoming department of  
8 transportation and the colonel of the Wyoming highway  
9 patrol shall administer and control the operation,  
10 maintenance and conduct of the two-way, land based mobile  
11 and related facilities for the public safety radio-  
12 microwave systems specifically provided by the **department**  
13 and patrol and performed by radio technicians, dispatchers  
14 and telephone operators. The **department** shall provide and  
15 accommodate agency needs as approved jointly by the  
16 **department** and the agency and as agency budgets allow;  
17 (emphasis added).

18  
19 Under existing law, the "department" is defined as the Department of Enterprise  
20 Technology Services in the last two sentences of the paragraph above. However, the  
21 Senate adopted the Boner committee of the whole amendment (HB0286SW001) to  
22 House Bill 286, which specified the Department of Transportation is the department  
23 intended. This bill draft includes that amendment.

24  
25 The committee may wish to review whether the Department of Transportation or the  
26 Division of Enterprise Technology Services created in this bill draft is the appropriate  
27 entity to provide the public safety radio-microwave systems and to provide related  
28 agency budgetary approval.

29 \*\*\*\*\*

30  
31 (ii) The attorney general shall administer and  
32 control the operation and conduct of the criminal law  
33 enforcement system and shall coordinate statewide  
34 telecommunications network services under this system  
35 through the division;

36

1           (iii) The University of Wyoming and community  
2 college districts shall administer the operation and  
3 control of telephone data and video systems on their  
4 respective campuses, and the division shall coordinate  
5 statewide telecommunications network services under these  
6 systems;

7

8           (iv) Telecommunications transport service  
9 requirements for any agency and educational institutions  
10 shall be coordinated through the division;

11

12           (v) Any public broadcasting service operating in  
13 the state shall be responsible for its operational services  
14 and federal licensing. The division shall assist in the  
15 coordination of any required statewide telecommunications  
16 transport services as appropriate;

17

18           (vi) The Wyoming department of transportation  
19 shall coordinate its statewide telecommunications transport  
20 service requirements for accessing the division's state  
21 unified network;

22

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

4

5           (A) The services, equipment and software  
6 meet compatibility standards established by the division;  
7 and

8

9           (B) The agency's action will result in not  
10 less than ten percent (10%) savings compared to the cost of  
11 similar services, equipment and software provided through  
12 the division;

13

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

16

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

22

1           (i) Private schools if the division determines  
2 network capacity is sufficiently available and private  
3 schools accessing the network reimburse the division for  
4 the costs of services provided under this subsection,  
5 including proportionate overhead and administrative costs;

6

7           (ii) Private health care providers if services  
8 are requested by the department of health under this  
9 subsection. The department of health shall:

10

11           (A) Determine health care services  
12 necessary for the effective and efficient operation of a  
13 telehealth network in the state;

14

15           (B) Notify the division in writing of the  
16 services deemed necessary;

17

18           (C) Reimburse the division for  
19 costs incurred for the provision of telecommunications  
20 services under this subsection from funds available for  
21 this purpose, including proportionate overhead and  
22 administrative costs;

23

1                   (D) Develop charges for telecommunication  
2 services that cover the costs of the provision of  
3 telecommunication services to private health care  
4 providers; and

5

6                   (E) In providing or facilitating the  
7 provision of services under this subsection, the department  
8 of health shall determine that similar services are not  
9 reasonably available from other sources.

10

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



1 commercial communications carriers to the fullest extent  
2 reasonably feasible. Such a network is limited to use only  
3 by:

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

12  
13 (ii) Wyoming public schools and public  
14 libraries.

15  
16 (g) The division, through the state chief information  
17 officer, shall carry out the following coordination and  
18 management functions:

19  
20 (i) Develop a biennial information technology  
21 plan for the executive branch. The division may inventory  
22 agency software, hardware, servers and data centers as it  
23 determines necessary to develop the plan, using existing

1 information available to the division and as supplemented  
2 by agencies upon request of the division;

3

4 (ii) Implement and maintain an information  
5 technology governance program for the agencies;

6

7 (iii) Establish review criteria for agencies'  
8 information technology projects, procurements and  
9 purchases;

10

11 (iv) Develop and implement recommendations for  
12 the proper management of agencies' information technology  
13 resources;

14

15 (v) Review and make recommendations to the  
16 governor concerning information technology budget requests  
17 made by agencies;

18

19 (vi) Adopt information technology policies and  
20 standards and ensure agency compliance with the policies  
21 and standards;

22

1           (vii) Recommend information technology  
2 procurement improvements;

3

4           (viii) Develop and promote information  
5 technology training programs for all branches of  
6 government;

7

8           (ix) Encourage information technology  
9 coordination, information sharing and collaboration among  
10 all branches and levels of government in Wyoming;

11

12           (x) Enhance geographic information systems  
13 coordination among all governmental users of geographic  
14 information systems;

15

16           (xi) Carry out the duties prescribed by W.S.  
17 9-2-2501;

18

19           (xii) Enhance statewide broadband adoption and  
20 coordination among all governmental users in coordination  
21 with the Wyoming business council and its broadband  
22 advisory council;

23

1           (xiii) Advise the governor and the legislature  
2 on technology and telecommunications matters;

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

15  
16           (h) The University of Wyoming, community colleges,  
17 judiciary and legislature may adhere to the standards,  
18 policies and plans developed pursuant to subsection (g) of  
19 this section to the extent feasible, as determined by the  
20 entity or the department of government, as applicable.

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

1

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

12

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

16

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

21

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

1 software or contractual services for information technology  
2 that are within the maximum amount established by division  
3 policy for small purchases as determined necessary by  
4 policy of the state chief information officer, approved by  
5 the director. Agencies shall provide information as  
6 requested by the division regarding small purchases;

7

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

16

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

19

20 (v) Establish a state technology replacement  
21 program for which all computer purchases made via program  
22 shall be made in accordance with the provisions of this  
23 subsection, using standardized pricing established by the

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

3

4 (k) In providing services under this section, the  
5 division shall:

6

7 (i) Develop and provide computer and information  
8 technology services to agencies, the judiciary and the  
9 legislature, subject to subsection (h) of this section.  
10 Central delivery of common services shall be promoted to  
11 the extent it encourages a more economical and efficient  
12 operation of state programs while maintaining a  
13 compatibility of hardware and software among agencies, the  
14 legislature and the judiciary;

15

16 (ii) Upon request of an agency, provide  
17 information and recommendations regarding the installation  
18 and acquisition of computer and information technology  
19 equipment, the qualifications of information technology  
20 personnel and software systems required by the agency. The  
21 information and recommendations provided under this  
22 paragraph shall be directed to advising the agency how to  
23 comply with uniform standards, minimize duplication and

1 promote effectiveness in the collection, storage,  
2 interchange, retrieval, processing and transmission of  
3 information;

4

5 (iii) Upon request of an agency, provide  
6 enterprise data analytics services;

7

8 (iv) Provide data analytics security services and  
9 validation services, as directed by the governor;

10

11 (v) Annually apply to the universal service  
12 administrative company under the federal communications  
13 commission for amounts available to the state under the  
14 schools and libraries program of the universal service  
15 fund. All federal funds received by the state under this  
16 paragraph shall be deposited into the public school  
17 foundation program account;

18

19 (vi) Develop procedures and administer uniform  
20 payment processor services and reporting for agencies and,  
21 upon request, the judiciary and the legislature. In  
22 administering this paragraph, the division shall:

23



1 (A) Administer a statewide contract with a  
2 payment process as provided under W.S. 9-4-217(h);

3

4 (B) Develop criteria and procedures for  
5 granting waivers to agencies under W.S. 9-4-217(h).

6

7 **Section** 3. W.S. 7-19-106(a)(xxvii),  
8 7-19-201(a)(xxiv), 9-2-117(a)(vii) and (viii),  
9 9-2-1005(a)(xii)(intro) and (B), 9-2-1104(a)(i) and (iii),  
10 9-2-2008(c) by creating a new paragraph (iii), 9-2-2501(b),  
11 (c)(intro) and (d), 9-2-3202(d) by creating a new paragraph  
12 (xi), 9-4-217(h)(intro), 18-3-402(a)(xxv), 21-2-202(a)(xx),  
13 (xxxiv)(intro) and (J) and (xxxvii)(intro), 34-1-404(a),  
14 34-1-405(a) and (b)(intro), 37-15-104(b),  
15 40-21-118(b)(intro) and 40-21-119 are amended to read:

16

17 **7-19-106. Access to, and dissemination of,**  
18 **information.**

19

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

23

1           (xxvii) The department of ~~enterprise technology~~  
2 ~~services~~ administration and information for purposes of  
3 obtaining background information on prospective and current  
4 employees in the enterprise technology services division;

5  
6           **7-19-201. State or national criminal history record**  
7 **information.**

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

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

20  
21           **9-2-117. Office of rural health created; duties.**

22

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

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

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

23

1           **9-2-1005. Payment of warrants; budget powers of**  
2 **governor; agency budgets; federal funds; new employees.**

3  
4           (a) No warrant shall be drawn by the auditor or paid  
5 by the treasurer:

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

13  
14                           (B) The state chief information officer. A  
15 purchase shall not be approved pursuant to this  
16 subparagraph if it fails to conform with the criteria  
17 developed pursuant to W.S. ~~9-2-2906(b)(iii)~~  
18 9-2-3222(g)(iii);

19  
20           **9-2-1104. Commission; powers and duties; advisory**  
21 **capacity to promote system development; public meetings;**  
22 **clerical and administrative support.**

23

1 (a) The commission shall:

2

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

10

11 (iii) Submit a plan for statewide system  
12 networking to the ~~department of~~ enterprise technology  
13 services division within the department of administration  
14 and information for inclusion in the statewide  
15 telecommunications plan developed pursuant to W.S.  
16 ~~9-2-2906(g)~~ 9-2-3222(c);

17

18 **9-2-2008. Department of administration and**  
19 **information created; director appointed; structure.**

20

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

1

2

3

4

5

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

6

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22

23

(iii) Department of enterprise technology services.

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

(c) The ~~department of~~ enterprise technology services division within the department of administration and information may enact rules ~~the chief information officer~~ deems as necessary to implement this section subject to the

1 provisions of the Uniform Electronic Transactions Act in  
2 title 40, chapter 21. The rules shall, at a minimum:

3

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

8

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

12

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

16

17 (xi) Enterprise technology services division.

18

19 **9-4-217. Uniform state accounting system.**

20

21 (h) The ~~department of~~ enterprise technology services  
22 division within the department of administration and  
23 information shall contract with a payment processor for

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



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

16

17 **18-3-402. Duties generally.**

18

19 (a) The county clerk shall:

20

21 (xxv) If the county clerk accepts electronic  
22 recordings of deeds, mortgages, conveyances, patents,  
23 certificates, instruments and other like documents,

1 establish procedures to govern the electronic recordings  
2 consistent with rules promulgated by the ~~department~~ of  
3 enterprise technology services division within the  
4 department of administration and information pursuant to  
5 W.S. 34-1-405.

6

7 **21-2-202. Duties of the state superintendent.**

8

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

11

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

1 its goal the provision of equal access to educational  
2 instruction and information. The statewide technology  
3 education plan may include telecommunications services  
4 provided by the ~~department of~~ enterprise technology  
5 services division within the department of administration  
6 and information pursuant to W.S. ~~9-2-2906(g)~~ 9-2-3222(c);

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

20  
21 (J) All personally identifiable student  
22 information being reported to the department of education  
23 or the ~~department of~~ enterprise technology services

1 division within the department of administration and  
2 information by a student's Wyoming student record  
3 identification and locator number as issued by the  
4 department of education; and

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

16

17 **34-1-404. Recording of documents.**

18

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

1

2           **34-1-405. Administration and standards.**

3

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

8

9           (b) ~~The department of enterprise technology services~~  
10 In adopting rules pursuant to this section, the enterprise  
11 technology services division within the department of  
12 administration and information shall consider:

13

14           **37-15-104. Services not regulated by this title.**

15

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

23

1           **40-21-118. Acceptance and distribution of electronic**  
2 **records by governmental agencies.**

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

11  
12           **40-21-119. Interoperability.**

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

1 implementing the most appropriate standard for a particular  
2 application.

3

4       **Section 4.** W.S. 9-2-2019 and 9-2-2901 through  
5 9-2-2906 are repealed.

6

7       **Section 5.** The department of administration and  
8 information shall report to the joint appropriations  
9 committee on all aspects of the transfer authorized under  
10 this act not later than December 1, 2024. The report shall  
11 include any statutory changes needed to fully effectuate  
12 the purposes of this act. The joint appropriations  
13 committee may introduce legislation during the 2025 general  
14 session of the Wyoming legislature pursuant to a report  
15 received under this section or on its own initiative to  
16 fully effectuate this act.

17

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

22

23

(END)