

SENATE FILE NO. SF0157

On-line government.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to administration of government; abolishing
2 the on-line government commission; establishing the
3 position of state chief information officer by statute;
4 providing duties of the chief information officer;
5 transferring duties of the commission to the chief
6 information officer; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-1-222 is created to read:

11

12 **9-1-222. State chief information officer; duties.**

13

14 The governor is authorized to employ a state chief
15 information officer. The chief information officer shall
16 carry out the duties prescribed under W.S. 9-2-2501 and
17 other duties as may be prescribed by law.

1

2 **Section 2.** W.S. 9-2-2501(b), (c) (intro), (d) and (h),
3 16-4-202(d) (v), 40-21-118(b) (intro) and 40-21-119 are
4 amended to read:

5

6 **9-2-2501. Chief information officer; duties;**
7 **electronic transaction of business.**

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

20

21 (c) The ~~commission~~ chief information officer may
22 enact rules ~~it~~ he deems necessary to implement this section
23 subject to the provisions of the Uniform Electronic

1 Transactions Act in title 40, ~~of~~ chapter 21. The rules
2 shall at a minimum:

3

4 (d) In adopting rules the ~~commission~~ chief
5 information officer shall consider whether the rule will
6 allow for efficient, safe, secure and accurate
7 transactions.

8

9 (h) No statutory provision which authorizes facsimile
10 or electronic filing with any state agency shall be
11 superseded by this section or any rule of the ~~commission~~
12 chief information officer adopted pursuant to this section.

13

14 **16-4-202. Right of inspection; rules and regulations;**
15 **unavailability.**

16

17 (d) If a public record exists primarily or solely in
18 an electronic format, the custodian of the record shall so
19 inform the requester. Electronic record inspection and
20 copying shall be subject to the following:

21

22 (v) Nothing in this section shall prohibit the
23 ~~on-line government commission~~ state chief information

1 officer from enacting any rules pursuant to ~~its~~his
2 authority under W.S. 9-2-2501.

3

4 **40-21-118. Acceptance and distribution of electronic**
5 **records by governmental agencies.**

6

7 (b) To the extent that a governmental agency uses
8 electronic records and electronic signatures under
9 subsection (a) of this section, the ~~Wyoming on-line~~
10 ~~government commission~~state chief information officer shall
11 promulgate rules in accordance with the Wyoming
12 Administrative Procedure Act to specify for state agencies:

13

14 **40-21-119. Interoperability.**

15

16 The ~~Wyoming on-line government commission which adopts~~
17 state chief information officer in adopting standards
18 pursuant to W.S. 40-21-118 may encourage and promote
19 consistency and interoperability with similar requirements
20 adopted by other governmental agencies of this and other
21 states and the federal government and nongovernmental
22 persons interacting with governmental agencies of this
23 state. If appropriate, those standards may specify
24 differing levels of standards from which governmental

1 agencies of this state may choose in implementing the most
2 appropriate standard for a particular application.

3

4 **Section 3.** W.S. 9-2-2501(a) is repealed.

5

6 **Section 4.** This act is effective July 1, 2005.

7

8

(END)