

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1647

5 By: Representative S. Meeks  
6 By: Senator J. Bryant  
7

## For An Act To Be Entitled

8  
9 AN ACT TO AMEND THE LAW CONCERNING THE DIVISION OF  
10 INFORMATION SYSTEMS; TO CHANGE THE NAME OF THE  
11 DIVISION OF INFORMATION SYSTEMS; TO DECLARE AN  
12 EMERGENCY; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15  
16 TO AMEND THE LAW CONCERNING THE DIVISION  
17 OF INFORMATION SYSTEMS; TO CHANGE THE  
18 NAME OF THE DIVISION OF INFORMATION  
19 SYSTEMS; AND TO DECLARE AN EMERGENCY.  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 6-11-128(b)(1), concerning definitions  
24 pertaining to the Arkansas Public School Computer Network, is amended to read  
25 as follows:

26 (1) Periodically conducting a thorough security review and  
27 security risk assessment for all information, including without limitation  
28 personally identifiable employee and student information, that originates in  
29 the school districts and terminates on the ~~Division of Information Systems~~  
30 Office of State Technology and Arkansas Public School Computer Network  
31 servers;  
32

33 SECTION 2. Arkansas Code § 6-21-112(h), concerning the Division of  
34 Public School Academic Facilities and Transportation, is amended to read as  
35 follows:

36 (h) The Division of Elementary and Secondary Education shall



1 coordinate and share certain administrative, custodial, legal, internal  
2 finance, and other necessary personnel and responsibilities to effectuate the  
3 daily operations of the Division of Public School Academic Facilities and  
4 Transportation and the ~~Division of Information Systems~~ Office of State  
5 Technology.

6  
7 SECTION 3. Arkansas Code § 6-47-502(b)(3), concerning distance  
8 learning grants of the Division of Elementary and Secondary Education, is  
9 amended to read as follows:

10 (3) The distance learning technical protocol or protocols shall  
11 be in alignment with technical standards set by the Director of the ~~Division~~  
12 ~~of Information Systems~~ Office of State Technology.

13  
14 SECTION 4. Arkansas Code § 6-60-1302(b)(4), concerning entities the  
15 Division of Higher Education shall work with to collect and compile  
16 information, is amended to read as follows:

17 (4) The ~~Division of Information Systems~~ Office of State  
18 Technology; and

19  
20 SECTION 5. Arkansas Code § 7-9-124(b), concerning the voter  
21 registration signature imaging system, is amended to read as follows:

22 (b) The ~~Division of Information Systems~~ Office of State Technology  
23 shall cooperate with and assist the Secretary of State in determining the  
24 computer equipment and software needed in the office of the Secretary of  
25 State for the voter registration signature imaging system.

26  
27 SECTION 6. Arkansas Code § 10-3-1704(c), concerning the duties of the  
28 Joint Committee on Advanced Communications and Information Technology, is  
29 amended to read as follows:

30 (c) The Joint Committee on Advanced Communications and Information  
31 Technology shall exercise appropriate legislative oversight of the operations  
32 of the ~~Division of Information Systems~~ Office of State Technology.

33  
34 SECTION 7. Arkansas Code § 10-3-1705 is amended to read as follows:  
35 10-3-1705. Duties of joint standing committee.

36 Bills pertaining to the ~~Division of Information Systems~~ Office of State

1 Technology, advanced communications and information technology, telemedicine,  
2 distance learning, or public information access shall be referred to the  
3 Joint Committee on Advanced Communications and Information Technology or the  
4 Committee on Advanced Communications and Information Technology, as  
5 appropriate.

6  
7 SECTION 8. Arkansas Code § 10-3-1707(c), concerning interim committee  
8 meetings, is amended to read as follows:

9 (c) All other appropriate state agencies, including, but not limited  
10 to, the ~~Division of Information Systems~~ Office of State Technology, the  
11 Arkansas Economic Development Commission, and public colleges and  
12 universities in the State of Arkansas, shall be available to assist the Joint  
13 Committee on Advanced Communications and Information Technology on advanced  
14 communications and information technology matters as may be requested by the  
15 Joint Committee on Advanced Communications and Information Technology.

16  
17 SECTION 9. Arkansas Code § 10-4-424(c), concerning the audit of  
18 information systems operations, is amended to read as follows:

19 (c) The ~~Division of Information Systems~~ Office of State Technology,  
20 its successor agency, or other entities of the state or political  
21 subdivisions of the state that provide internet, network, or other computer  
22 services or information to an entity of the state or a political subdivision  
23 of the state shall provide access to all data, support, or other necessary  
24 information services to Arkansas Legislative Audit in connection with their  
25 functions at no cost to Arkansas Legislative Audit.

26  
27 SECTION 10. Arkansas Code § 12-1-104(a)(2), concerning the bail  
28 reporting system of the Arkansas Crime Information Center, is amended to read  
29 as follows:

30 (2) To facilitate the administration of the portal required under  
31 subdivision (a)(1) of this section, the Arkansas Crime Information Center may  
32 seek the assistance of the ~~Division of Information Systems~~ Office of State  
33 Technology or enter into a contract for technical database and data  
34 processing services.

35  
36 SECTION 11. Arkansas Code § 12-75-111(d)(4), concerning the powers and

1 duties of the Division of Emergency Management, is amended to read as  
2 follows:

3 (4) The Division of Emergency Management may request the  
4 assistance of the ~~Division of Information Systems~~ Office of State Technology  
5 in reviewing technology-related emergency operation plans.  
6

7 SECTION 12. Arkansas Code § 12-75-132(b)(18), concerning the  
8 representatives of the Arkansas Homeland Security Advisory Group, is amended  
9 to read as follows:

10 (18) ~~Division of Information Systems~~ Office of State Technology;  
11

12 SECTION 13. Arkansas Code § 15-21-502(10), concerning definitions  
13 pertaining to the Arkansas Geographic Information Systems Board, is amended  
14 to read as follows:

15 (10) "State Chief Technology Officer" means the Director of the  
16 ~~Division of Information Systems~~ Office of State Technology;  
17

18 SECTION 14. Arkansas Code § 15-55-213 is amended to read as follows:  
19 15-55-213. Access to information.

20 The Office of the State Geologist and the ~~Division of Information~~  
21 ~~Systems~~ Office of State Technology shall grant access to and provide  
22 information determined by the Commissioner of State Lands to be necessary to  
23 successfully accomplish the Commissioner of State Lands' mission.  
24

25 SECTION 15. Arkansas Code § 16-93-214(b)(3), concerning the mobile  
26 application concerning inmates and parolees, the Safe Arkansas App, is  
27 amended to read as follows:

28 (3) To facilitate the administration of the mobile application  
29 required under subdivision (b)(1) of this section, the board may seek the  
30 assistance of the ~~Division of Information Systems~~ Office of State Technology  
31 of the Department of Transformation and Shared Services or enter into a  
32 contract for technical database and data processing services.  
33

34 SECTION 16. Arkansas Code § 19-4-522(c)(1), concerning the maintenance  
35 and general operation of the financial management system, is amended to read  
36 as follows:

1           (1) In the event the amount of any of the budget classifications  
2 of maintenance and general operation in an agency's appropriation act are  
3 found by the administrative head of the agency to be inadequate, then the  
4 agency head may request, upon forms provided for such purpose by the Chief  
5 Fiscal Officer of the State, a modification of the amounts of the budget  
6 classification. In that event, he or she shall set out on the forms the  
7 particular classifications for which he or she is requesting an increase or  
8 decrease, the amounts thereof, and his or her reasons therefor. In no event  
9 shall the total amount of the budget exceed either the amount of the  
10 appropriation or the amount of the funds available, nor shall any transfer be  
11 made from the capital outlay or data processing subclassification unless  
12 specific authority for such transfers is provided by law, except for  
13 transfers from capital outlay to data processing when determined by the  
14 ~~Division of Information Systems~~ Office of State Technology that data  
15 processing services for a state agency can be performed on a more cost-  
16 efficient basis by the ~~division~~ office than through the purchase of data  
17 processing equipment by that state agency;

18  
19           SECTION 17. Arkansas Code § 19-5-1055 is amended to read as follows:

20           19-5-1055. ~~Division of Information Systems~~ Office of State Technology  
21 Revolving Fund.

22           (a) There is established on the books of the Treasurer of State, the  
23 Auditor of State, and the Chief Fiscal Officer of the State a fund to be  
24 known as the "~~Division of Information Systems~~ Office of State Technology  
25 Revolving Fund".

26           (b)(1) The fund shall consist of nonrevenue receipts derived from  
27 services provided to various agencies of the federal, state, city, and county  
28 governments, and any other moneys which may be provided by law.

29           (2) The fund shall be used for the maintenance, operation, and  
30 improvement of the ~~Division of Information Systems~~ Office of State Technology  
31 as set out in the Arkansas Information Systems Act of 1997, § 25-4-101 et  
32 seq.

33  
34           SECTION 18. Arkansas Code § 19-5-1056(b)(1), concerning the  
35 Information Technology Reserve Fund, is amended to read as follows:

36           (b)(1) The Information Technology Reserve Fund shall consist of those

1 funds transferred from the ~~Division of Information Systems~~ Office of State  
2 Technology Revolving Fund in an amount up to the authorized reserve for  
3 equipment acquisition as certified by the Chief Fiscal Officer of the State  
4 within thirty (30) days following the closing of each fiscal year, any loans  
5 which may be received from the Budget Stabilization Trust Fund, and any other  
6 moneys which may be provided by law.

7  
8 SECTION 19. Arkansas Code § 19-11-1004(e)(2), concerning restrictions  
9 on professional and consultant services contracts, is amended to read as  
10 follows:

11 (2) However, the ~~Division of Information Systems~~ Office of State  
12 Technology may employ persons over whom they exercise day-to-day managerial  
13 control for those services under § 25-4-112 for which professional services  
14 contracts may be used.

15  
16 SECTION 20. Arkansas Code § 20-8-404 is amended to read as follows:  
17 20-8-404. Rules.

18 The ~~Division of Information Systems~~ Office of State Technology,  
19 Department of Finance and Administration, Department of Health, Department of  
20 Human Services, State Insurance Department, and all other appropriate  
21 departments, agencies, subcontractors, and officers shall promulgate rules to  
22 implement this subchapter.

23  
24 SECTION 21. Arkansas Code § 21-2-805(a)(1)(C), concerning the members  
25 of the Arkansas Cyber Response Board, is amended to read as follows:

26 (C) The Director of the ~~Division of Information Systems~~  
27 Office of State Technology or his or her designee;

28  
29 SECTION 22. Arkansas Code § 23-17-409(b)(4), concerning the  
30 authorization of competing local exchange carriers under the  
31 Telecommunications Regulatory Reform Act of 2013, is amended to read as  
32 follows:

33 (4) A government entity may purchase voice, data, broadband,  
34 video, or wireless telecommunications services, directly or indirectly, from  
35 a private provider through a contract administered and services managed by  
36 the ~~Division of Information Systems~~ Office of State Technology under the

1 Arkansas Information Systems Act of 1997, § 25-4-101 et seq.

2

3 SECTION 23. Arkansas Code § 25-1-203(b)(2), concerning the  
4 distribution of certain publications on state agency websites, is amended to  
5 read as follows:

6 (2) The ~~Division of Information Systems~~ Office of State  
7 Technology shall assist those state agencies requesting assistance in placing  
8 publications on the state agency's website.

9

10 SECTION 24. Arkansas Code § 25-4-102 is amended to read as follows:

11 25-4-102. Legislative findings and declaration of intent.

12 (a) The General Assembly finds and declares information and  
13 information resources to be strategic assets of the State of Arkansas and  
14 that procedures must be established to ensure that:

15 (1) Information resources are used in an efficient manner;

16 (2) Resources of the ~~Division of Information Systems~~ Office of  
17 State Technology are used unless an exception is authorized;

18 (3) Information is administered and shared, consistent with  
19 requirements for security, privacy, and confidentiality;

20 (4) Information technology acquisitions meet state needs and are  
21 consistent with coordinated efforts to maximize standardization and cost  
22 effectiveness;

23 (5) State officials have timely access to information in useful  
24 forms; and

25 (6) The ~~division~~ office complies with applicable state and  
26 federal statutory and regulatory provisions.

27 (b) The General Assembly further declares its intent to create a state  
28 agency ~~division~~ office to:

29 (1) Provide design and management services for the state's core  
30 information technology infrastructures;

31 (2) Provide information technology services;

32 (3) Implement appropriate technologies to exchange and share  
33 information; and

34 (4) Develop technical standards and specifications and provide  
35 technical leadership and guidance to support the state's enterprise  
36 architecture.

1 (c) It is also the intent of the General Assembly that the ~~division~~  
 2 office achieve certain objectives that will better support information  
 3 technology utilization by other state agencies. These objectives are to:

4 (1) Implement increased capabilities for communication and  
 5 exchange of information; and

6 (2) Develop and publish mechanisms for more timely acquisition  
 7 of information technology.

8 (d)(1) The General Assembly further finds and determines that:

9 (A) Information technology services are readily available  
 10 in the private sector;

11 (B) The public interest would be well served by  
 12 competition for the provision of such services to the state;

13 (C) Public-private partnerships or joint ventures for the  
 14 provision of such services may be appropriate in certain instances; and

15 (D) Emphasis will be given to encouraging and enabling  
 16 competition among+ suppliers of such services whenever possible in the  
 17 administration of this chapter.

18 ~~(i) Suppliers of such services whenever possible in~~  
 19 ~~the administration of this chapter; and~~

20 ~~(ii) Women owned and minority owned suppliers of such~~  
 21 ~~services whenever possible in the administration of this chapter.~~

22 (2) The ~~division~~ office shall consider in the development of the  
 23 ~~division~~ office plan and the Joint Committee on Advanced Communications and  
 24 Information Technology shall emphasize in its recommendations and policies  
 25 the availability in the private sector of information technology resources  
 26 upon a competitive bid basis with a view to assuring the state of the highest  
 27 reasonable quality of resources at the lowest reasonable cost.

28 (e)(1) In exercising its authority under § 25-4-105, the ~~division~~  
 29 office shall competitively procure information technology except as provided  
 30 in this subsection.

31 (2) The ~~division~~ office is not authorized by § 25-4-105 to  
 32 provide information technology services, including telecommunications and  
 33 broadband services, to the general public, other than nongovernmental first  
 34 responder entities, in competition with private sector telecommunications and  
 35 cable communications providers.

36 (3) Customers of the ~~division~~ office are not authorized to use



1 information technology facilities and services provided by the ~~division~~  
2 office to provide telecommunications and broadband services to the general  
3 public in competition with private sector telecommunications and cable  
4 communications providers.

5  
6 SECTION 25. Arkansas Code § 25-4-103(15), concerning definitions  
7 pertaining to the Division of Information Systems, is amended to read as  
8 follows:

9 (15) "State Chief Technology Officer" means the Director of the  
10 ~~Division of Information Systems~~ Office of State Technology;

11  
12 SECTION 26. Arkansas Code § 25-4-104 is amended to read as follows:

13 25-4-104. ~~Division of Information Systems~~ Office of State Technology.

14 (a) There is established within the Department of Transformation and  
15 Shared Services the ~~Division of Information Systems~~ Office of State  
16 Technology.

17 (b)(1) The ~~Division of Information Systems~~ Office of State Technology  
18 shall be headed by a director to be appointed by the Governor, subject to  
19 confirmation by the Senate in the manner provided by law, and shall serve at  
20 the pleasure of the Governor.

21 (2) The director shall be a person who, by education and  
22 training, has technical knowledge and management experience in information  
23 technology-related equipment, systems, and services.

24 (3) The director shall qualify by filing the oath of office  
25 required in the Arkansas Constitution with the Secretary of State.

26 (c) The director, in consultation with the Secretary of the Department  
27 of Transformation and Shared Services, may establish divisions and the  
28 organizational structure deemed necessary and appropriate for the efficient  
29 performance of the duties imposed under the provisions of this chapter,  
30 provided the organizational structure of the ~~division~~ office shall conform to  
31 the positions authorized and limitations provided therefor in the biennial  
32 appropriation of the ~~division~~ office.

33 (d) The director, in consultation with the Secretary of the Department  
34 of Transformation and Shared Services, shall appoint the deputy and ~~division~~  
35 office directors and the professional, technical, and clerical assistants and  
36 employees as necessary to perform the duties imposed by this chapter. All

1 employees of the ~~division~~ office shall be employed by the department and  
2 serve at the pleasure of the Secretary of the Department of Transformation  
3 and Shared Services.

4 (e) The director shall report to the Secretary of the Department of  
5 Transformation and Shared Services any matters relating to abuses of this  
6 chapter.

7 (f) The director shall recommend statutory changes to the Secretary of  
8 the Department of Transformation and Shared Services.

9  
10 SECTION 27. Arkansas Code § 25-4-105 is amended to read as follows:

11 25-4-105. ~~Division of Information Systems~~ Office of State Technology –  
12 General powers and duties.

13 (a)(1) The ~~Division of Information Systems~~ Office of State Technology  
14 shall be vested with all the powers and duties necessary to administer the  
15 ~~division~~ Office of State Technology and to enable it to carry out fully and  
16 effectively the rules and laws relating to the ~~division~~ Office of State  
17 Technology.

18 (2) The ~~division's~~ Office of State Technology's powers and  
19 duties relate to information technology and include without limitation:

20 (A) Conceptualizing, designing, developing, building, and  
21 maintaining common information technology infrastructure elements used by  
22 state agencies and governmental entities;

23 (B) Providing information technology services to state  
24 agencies, other governmental entities, nongovernmental first responder  
25 entities, and other quasi-governmental entities;

26 (C) Entering into contracts with state agencies, other  
27 governmental entities, and nongovernmental first responder entities for the  
28 purpose of providing information technology services;

29 (D)(i) Establishing fair and reasonable schedules of rates  
30 or fees to be paid by customers that are provided service to enable the  
31 ~~division~~ Office of State Technology to recover all allowable costs of  
32 providing the services as provided in this chapter.

33 (ii) The same rate or fee structure will apply to all  
34 customers receiving services;

35 (E)(i) Establishing estimated billing rates to be  
36 developed for a period to coincide with the budgeting process.

1                   (ii) The ~~division~~ Office of State Technology shall  
2 have the authority to adjust billing as necessary to effect compliance with  
3 applicable state and federal statutory and regulatory provisions.

4                   (iii) Billing adjustments shall be subject to the  
5 approval of the Chief Fiscal Officer of the State and review by the  
6 Legislative Council;

7                   (F) Acquiring information technology on behalf of state  
8 agencies, the cost of which shall be recovered through customer billings or  
9 through direct funding;

10                  (G) Promulgating rules that are necessary for efficient  
11 administration and enforcement of the powers, functions, and duties of the  
12 ~~division~~ Office of State Technology as provided in this chapter;

13                  (H) Developing a ~~division~~ plan for the Office of State  
14 Technology to support the goals and objectives set forth for it in the state  
15 information technology plans and strategies;

16                  (I) Implementing systems to ensure the security of state  
17 data and state data processing assets, to provide for disaster recovery and  
18 continuity of operations to the state agencies served, and to recover its  
19 costs from the customers benefited;

20                  (J) Performing any additional powers, functions, and  
21 duties that are necessary and appropriate for the proper administration of  
22 the provisions of this chapter;

23                  (K) Providing a State Cyber Security Office to monitor  
24 information resource security issues, coordinating all security measures that  
25 could be used to protect resources by more than one (1) governmental entity,  
26 and acting as an information technology resource to other state agencies;

27                  (L) Assisting in the development of an information  
28 technology security policy for state agencies;

29                  (M) Developing the information technology security policy  
30 for state agencies;

31                  (N) Advising agencies in acquiring information technology  
32 service;

33                  (O) Developing the information technology policies,  
34 standards, and specifications for state agencies and ensuring agencies'  
35 compliance with those policies, procedures, and standards;

36                  (P) Participating in the development of information

1 technology state contracts, including without limitation the identification  
2 of requirements, contract negotiation, and vendor evaluation;

3 (Q) With respect to their technology functions and  
4 applications, all state departments, boards, commissions, and public  
5 institutions of higher education, consulting and cooperating with the  
6 ~~division~~ Office of State Technology in the formation and implementation of  
7 security policies for the state core information technology infrastructure;

8 (R) Developing a state information technology plan that  
9 shall establish a state-level mission, goals, and objectives for the use of  
10 information technology;

11 (S) Identifying and establishing information technology  
12 solutions that can support more than one (1) agency in providing governmental  
13 services;

14 (T) Advising agencies regarding information technology  
15 contracts and agreements;

16 (U) Developing policies to promote and facilitate  
17 electronic access to government information and interoperability of  
18 information systems; and

19 (V) Reviewing and approving agencies' information  
20 technology plans and requests.

21 (b) This chapter shall not be construed to deprive, transfer, limit,  
22 or in any way alter or change any of the powers vested in the board of  
23 trustees of any institution of higher education under existing constitutional  
24 and statutory provisions.

25  
26 SECTION 28. Arkansas Code § 25-4-106 is amended to read as follows:

27 25-4-106. Reporting requirements.

28 (a)(1) The Director of the ~~Division of Information Systems~~ Office of  
29 State Technology will report periodically to the Joint Committee on Advanced  
30 Communications and Information Technology regarding the status of the  
31 ~~Division of Information Systems'~~ Office of State Technology's information  
32 technology responsibilities in state government.

33 (2) The director may report any factors that are outside the  
34 scope of the ~~division~~ office but are deemed to inhibit or to promote the  
35 ~~division's~~ office's responsibilities.

36 (b)(1) By October 31, January 31, April 30, and July 31 of each fiscal

1 year, the director shall compile and submit a report to the:

2 (A) Legislative Council, if submitted between regular  
3 sessions of the General Assembly;

4 (B) Joint Budget Committee, if submitted during a session  
5 of the General Assembly; and

6 (C) Joint Committee on Advanced Communications and  
7 Information Technology.

8 (2) The report shall:

9 (A) Detail all requests from state agencies, boards, and  
10 commissions for advice regarding information technology planning,  
11 implementation, installation, rates or fees, utilization of products,  
12 services, and integrations or upgrades to be added to all existing technology  
13 plans; and

14 (B) Provide a full report of all corresponding  
15 recommendations made by the ~~division~~ office to the requesting state agencies,  
16 boards, and commissions.

17 (3) The report shall include:

18 (A) The name of the state agency, board, or commission  
19 requesting the advice;

20 (B) The name and scope of the project for which advice is  
21 being sought;

22 (C) The type of advice sought, for example, technical,  
23 product or service utilization, planning, implementation, installation,  
24 integration, or upgrades;

25 (D) A detailed explanation of all recommendations provided  
26 by the ~~division~~ office;

27 (E) How the recommendation fits into the information  
28 technology plan of the agency, board, or commission;

29 (F) How the recommendation fits into the state's  
30 information technology plan and state enterprise architecture; and

31 (G) Other information as may be useful for policy making  
32 decisions by the Legislative Council or the Joint Committee on Advanced  
33 Communications and Information Technology.

34

35 SECTION 29. Arkansas Code § 25-4-108(a), concerning the working groups  
36 of the Division of Information Systems, is amended to read as follows:

1 (a) The Director of the ~~Division of Information Systems~~ Office of  
2 State Technology may appoint working groups as necessary for specific  
3 purposes related to information technology coordination.  
4

5 SECTION 30. Arkansas Code § 25-4-109 is amended to read as follows:  
6 25-4-109. Information technology centers.

7 (a) The ~~Division of Information Systems~~ Office of State Technology is  
8 authorized to establish, maintain, and operate information technology centers  
9 and, in connection therewith, to rent, purchase, install, operate, and  
10 maintain information technology for state agencies as authorized in this  
11 chapter.

12 (b) The ~~division~~ office is authorized to enter into contracts or  
13 agreements with state agencies for the purpose of providing information  
14 technology.

15 (c) State agencies are authorized to enter into any contracts with the  
16 ~~division~~ office or its successor that may be necessary or desirable to  
17 effectuate the purposes and policies of this chapter or for maximum  
18 utilization of facilities and services that are the subject of this chapter.

19 (d) Agencies shall use the core information technology infrastructure.

20 (e) The ~~division~~ office is authorized to enter into agreements and  
21 contracts with public utilities for telecommunications service.

22 (f) The information technology centers operated by the ~~division~~ office  
23 shall be made available to all state agencies that fall within economical and  
24 feasible boundaries.

25 (g) Agencies shall use project management for designated activities  
26 defined as a project.  
27

28 SECTION 31. Arkansas Code § 25-4-110 is amended to read as follows:  
29 25-4-110. Information technology – Planning.

30 (a) The ~~Division of Information Systems~~ Office of State Technology  
31 shall submit status reports annually or when requested to the Joint Committee  
32 on Advanced Communications and Information Technology.

33 (b)(1) Each state agency shall develop a biennial information  
34 technology plan that establishes state agency goals, objectives, and policies  
35 regarding the development and use of information technology.

36 (2)(A) Each state agency shall specifically include a policy

1 regarding the use of the internet.

2 (B) A statement of the agency's policy regarding the use  
3 of the internet shall include:

4 (i) The penalties for violations of the agency's  
5 internet policy;

6 (ii) The number of employees and computers that have  
7 access to the internet and the percentage of those employees and computers to  
8 the total number of employees and computers;

9 (iii) The needs of the agency and how those needs  
10 relate to the use of the internet; and

11 (iv) The responsibilities of the agency's employees  
12 as those responsibilities relate to the efficient and responsible use of the  
13 internet.

14 (3) Plans may be updated by agencies in a timely manner to  
15 remain current and must accommodate changes in the evolving state information  
16 technology plan and standards.

17 (c) The ~~division~~ office shall distribute criteria, elements, form, and  
18 format for agency plans. Plans may include, but not be limited to, the  
19 following:

20 (1) A statement of the agency's mission, goals, and objectives  
21 for information technology;

22 (2) Goals and objectives for achieving electronic access to  
23 agency records, information, and services;

24 (3) Consideration of a variety of information technologies,  
25 including those that help transcend geographic locations, standard business  
26 hours, economic conditions of users, and disabilities;

27 (4) Compliance with the Freedom of Information Act of 1967, §  
28 25-19-101 et seq.;

29 (5) An explanation of how the state agency's mission, goals, and  
30 objectives for information technology support and conform to the state  
31 information technology plan developed by the ~~division~~ office;

32 (6) An implementation strategy to include:

33 (A) Annual implementation objectives of the plan;

34 (B) Methods to educate both state employees and the public  
35 in the effective use of access technologies; and

36 (C) Agency activities to increase electronic access to

1 public records and information to be implemented within available resources  
2 and existing state agency planning processes;

3 (7) Projects and resources required to meet the objectives of  
4 the plan;

5 (8) Estimated schedules and funding required to implement  
6 identified projects;

7 (9) An evaluation of the agency's performance relating to  
8 information technology;

9 (10) An assessment of progress made toward implementing the  
10 agency information technology plan;

11 (11) A discussion of progress toward electronic access to public  
12 information and enabling citizens to have two-way interaction for obtaining  
13 information and services from state agencies; and

14 (12) An inventory of state agency information technology.

15 (d)(1) Plans developed or updated shall be submitted to the ~~division~~  
16 office.

17 (2) The ~~division~~ office may reject, require modification to, or  
18 approve plans as deemed appropriate.

19 (3) Plans shall be modified by the state agency as necessary.

20 (e)(1) Plans developed or updated by public instrumentalities shall be  
21 submitted for review to the Joint Committee on Advanced Communications and  
22 Information Technology.

23 (2) The Joint Committee on Advanced Communications and  
24 Information Technology may seek the assistance of the ~~division~~ office in  
25 conducting this review.

26 (3) Plans shall be modified by the public instrumentality as  
27 necessary.

28  
29 SECTION 32. The introductory language of Arkansas Code § 25-4-111(b),  
30 concerning information technology prerequisites for state agencies, is  
31 amended to read as follows:

32 (b) If an agency desires to acquire information technology not part of  
33 an information technology plan approved under § 25-4-110, the requesting  
34 agency shall submit a waiver request to the Director of the ~~Division of~~  
35 ~~Information Systems~~ Office of State Technology that includes:

36



1 SECTION 33. Arkansas Code § 25-4-111(c)(4)(C), concerning information  
2 technology prerequisites for state agencies, is amended to read as follows:

3 (C) Notify the agency of the availability of ~~Division of~~  
4 ~~Information Systems~~ Office of State Technology facilities to provide the  
5 requested information technology; or  
6

7 SECTION 34. Arkansas Code § 25-4-112(b), concerning applications of  
8 information technology to educational institutions, is amended to read as  
9 follows:

10 (b)(1) A state-supported institution of higher education, a post-  
11 secondary vocational-technical school, an area vocational school, or a public  
12 school district may request technical assistance regarding information  
13 technology from the ~~Division of Information Systems~~ Office of State  
14 Technology.

15 (2)(A) Assistance shall be provided by the ~~division~~ office free  
16 of charge within a reasonable period.

17 (B) However, the requesting institution shall reimburse  
18 the ~~division~~ office for any actual expenses incurred while providing  
19 requested technical assistance.  
20

21 SECTION 35. Arkansas Code § 25-4-114(b), concerning contracts and  
22 agreements for information technology, is amended to read as follows:

23 (b) A state agency shall submit to the Director of the ~~Division of~~  
24 ~~Information Systems~~ Office of State Technology for review and approval a  
25 request for the state agency to enter into a technology contract or agreement  
26 that is not in compliance with the state enterprise architecture.  
27

28 SECTION 36. Arkansas Code § 25-4-115 is amended to read as follows:

29 25-4-115. Professional services contracts between ~~division~~ office and  
30 outside vendors.

31 (a)(1) In the event that, due to unforeseen circumstances, the  
32 ~~Division of Information Systems~~ Office of State Technology cannot provide  
33 sufficient information technology support to state agencies, the Director of  
34 the ~~Division of Information Systems~~ Office of State Technology is authorized  
35 to enter into professional services contracts for the necessary information  
36 technology support.

1           (2) The ~~division~~ office may also consolidate information  
2 technology needs to satisfy state agency requests.

3           (b)(1) The ~~division~~ office may utilize moneys appropriated for  
4 maintenance, operation, and payment of regular salaries of the ~~division~~  
5 office for the purchase of professional services upon approval by the  
6 Secretary of the Department of Transformation and Shared Services.

7           (2)(A) Provided, however, that before approving the use of  
8 moneys appropriated for payment of regular salaries of the ~~division~~ office  
9 for obtaining professional services, the secretary shall determine that  
10 resignations, vacancies in positions, or the inability to employ persons with  
11 technical skills to provide the professional services has necessitated that  
12 action.

13           (B) In addition, the secretary shall obtain the approval  
14 of the Legislative Council or the Joint Budget Committee if the General  
15 Assembly is in session, before approving any transfer of regular salary  
16 appropriations to the maintenance and operation appropriation of a state  
17 agency to be used for payment of professional services.

18  
19           SECTION 37. Arkansas Code § 25-4-116(a), concerning payment for  
20 information technology, is amended to read as follows:

21           (a) Before a state agency may enter into an agreement with the  
22 ~~Division of Information Systems~~ Office of State Technology for purchase of  
23 information technology, the agency shall certify that adequate appropriations  
24 and funds are available for purchasing information technology from the  
25 ~~division~~ office.

26  
27           SECTION 38. Arkansas Code § 25-4-116(b)(3), concerning payment for  
28 information technology, is amended to read as follows:

29           (3) The transfers authorized in this chapter shall be made from  
30 time to time within the amounts authorized in the procedures set forth in  
31 this chapter, upon payment for information technology purchased from the  
32 ~~division~~ office.

33  
34           SECTION 39. Arkansas Code § 25-4-117 is amended to read as follows:  
35 25-4-117. Delinquent accounts.

36           (a) For accounts that are thirty (30) days overdue and have no charges

1 contested by the user, the ~~Division of Information Systems~~ Office of State  
2 Technology may request the Chief Fiscal Officer of the State to transfer all  
3 or part of the overdue amount from the user's account to the ~~division's~~  
4 office's revolving account. The Chief Fiscal Officer of the State shall  
5 transfer the amount within ten (10) working days.

6 (b) For accounts that are sixty (60) days overdue and have charges  
7 being contested by the user, the ~~division~~ office may request the Chief Fiscal  
8 Officer of the State to transfer all or part of the overdue amount from the  
9 user's account to the ~~division's~~ office's revolving account. If the  
10 resolution of contested charges favors the user, the user may request the  
11 Chief Fiscal Officer of the State to transfer all or part of the overdue  
12 amount from the ~~division's~~ office's revolving account to the user's account.

13 (c) The ~~division~~ office is authorized to discontinue information  
14 technology service to users who do not make a timely remittance of payment  
15 for services rendered and is specifically prohibited from providing services  
16 to state agencies lacking funds or sufficient appropriations to pay for the  
17 services.

18  
19 SECTION 40. Arkansas Code § 25-4-119 is amended to read as follows:  
20 25-4-119. Budget procedures.

21 (a)(1) Prior to the commencement of budget hearings conducted by the  
22 Legislative Council, the Director of the ~~Division of Information Systems~~  
23 Office of State Technology shall prepare an operating budget indicating the  
24 amount of money that will be required to operate the ~~Division of Information~~  
25 ~~Systems~~ Office of State Technology each year of the succeeding biennium.

26 (2) The director shall also provide cost information to users of  
27 information technology centers, and those who require new or expanded  
28 information technology shall be provided cost estimates for inclusion in  
29 their budget requests.

30 (b)(1) When the General Assembly has completed the appropriation  
31 process, the director shall oversee budgetary planning for the ~~division~~  
32 office for each fiscal year of the biennium.

33 (2) The proposed annual operating budget shall be submitted to  
34 the Secretary of the Department of Transformation and Shared Services for his  
35 or her approval prior to the beginning of each fiscal year.

36 (3)(A) During the course of the biennium, the director shall

1 make certain that the expenditures of the ~~division~~ office do not exceed the  
2 income to be received by the ~~division~~ office for the current fiscal year.

3 (B) Subject to the written approval of the Chief Fiscal  
4 Officer of the State upon the written application of the ~~division~~ office and  
5 review by the Legislative Council, in order to effect compliance with state  
6 and federal statutory and regulatory provisions:

7 (i) The director shall adjust rates for services or  
8 issue billing adjustments as necessary; or

9 (ii) Funds sufficient to effect compliance shall be  
10 provided to the ~~division~~ office.

11 (4)(A) If rates charged to a customer are increased to ensure  
12 compliance with state and federal statutory and regulatory provisions under  
13 subdivision (b)(3) of this section, then the director shall promptly notify  
14 the Governor, the Joint Committee on Advanced Communications and Information  
15 Technology, and all state agencies and other customers before any changes  
16 shall be effected.

17 (B) Rates shall be reviewed by the ~~division~~ office on no  
18 less than an annual basis in order to ensure compliance with state and  
19 federal statutory and regulatory provisions.

20 (c) The quarterly allotment procedures applicable to state agencies,  
21 as defined by the General Accounting and Budgetary Procedures Law, § 19-4-101  
22 et seq., shall be applicable to all appropriations funded directly through  
23 general revenue.

24  
25 SECTION 41. Arkansas Code § 25-4-120(c), concerning revisions to the  
26 budget, purchasing, and personnel process related to information technology,  
27 is amended to read as follows:

28 (c) The ~~Division of Information Systems~~ Office of State Technology  
29 shall make recommendations regarding revisions to the state budget,  
30 purchasing, and personnel process related to information technology to the  
31 Legislative Council by March 1 of each even-numbered year.

32  
33 SECTION 42. Arkansas Code § 25-4-121 is amended to read as follows:

34 25-4-121. ~~Division of Information Systems~~ Office of State Technology  
35 Revolving Fund.

36 (a) There is created and established on the books of the Treasurer of

1 State, the Auditor of State, and the Department of Finance and Administration  
 2 the ~~Division of Information Systems~~ Office of State Technology Revolving  
 3 Fund.

4 (b) The ~~Division of Information Systems~~ Office of State Technology  
 5 Revolving Fund shall consist of nonrevenue receipts derived from services  
 6 provided to various agencies of the federal, state, city, and county  
 7 governments, and any other moneys which may be provided by law for credit to  
 8 the ~~Division of Information Systems~~ Office of State Technology Revolving  
 9 Fund.

10 (c) All revenues received by the ~~Division of Information Systems~~  
 11 Office of State Technology for providing information technology services  
 12 shall be deposited into the State Treasury as nonrevenue receipts, there to  
 13 be used for the maintenance, operation, and improvement of the ~~division~~  
 14 office.

15 (d) All revenues received from agencies or other governmental entities  
 16 for information technology services provided by contracts between the  
 17 ~~division~~ office and outside vendors may be deposited into the State Treasury  
 18 as refund to expenditures.

19 (e) Subject to the written approval of the Chief Fiscal Officer of the  
 20 State upon written application of the ~~division~~ office and review by the  
 21 Legislative Council, the Director of the ~~Division of Information Systems~~  
 22 Office of State Technology shall have the authority to transfer funds between  
 23 the Information Technology Reserve Fund established by §§ 19-5-1056 and 25-4-  
 24 123 and the ~~Division of Information Systems~~ Office of State Technology  
 25 Revolving Fund established under this section for cash management purposes.

26  
 27 SECTION 43. Arkansas Code § 25-4-122 is amended to read as follows:  
 28 25-4-122. Reserve for equipment acquisition – Loans.

29 (a)(1) The ~~Division of Information Systems~~ Office of State Technology  
 30 is authorized to accumulate a reserve for equipment acquisition in an amount  
 31 not to exceed the ~~division's~~ office's depreciation expense per fiscal year.

32 (2)(A) In addition, the ~~division~~ office is authorized to obtain  
 33 from the State Board of Finance loans from the Budget Stabilization Trust  
 34 Fund to supplement the reserve if the reserve is insufficient to handle the  
 35 total cost of required equipment acquisitions.

36 (B) These loans and the reserve for equipment acquisition

1 shall be used exclusively for major equipment acquisitions or improvements of  
2 information technology required in order to fulfill the requirements for one  
3 (1) or more user agencies.

4 (C) The loans from the Budget Stabilization Trust Fund to  
5 the Information Technology Reserve Fund shall be repaid within five (5) years  
6 from revenues derived from charges to users, and the annual loan repayment  
7 amount shall be computed as a part of the total yearly expenses of the  
8 ~~division office~~ and shall be charged proportionately to users.

9 (b)(1)(A) However, before the board approves any requests for loans by  
10 the ~~division office~~ authorized in subdivision (a)(2) of this section, the  
11 requests shall be submitted to the Governor for his or her approval after the  
12 Governor has first obtained the advice of the Legislative Council in regard  
13 thereto.

14 (B) After having obtained advice, the Governor may in  
15 writing approve or reject the request.

16 (C) However, if the Legislative Council fails to give its  
17 written advice or opinion to the Governor within thirty (30) days after  
18 receiving notice of the request for loans, the Governor may proceed to act on  
19 the matter without the advice of the Legislative Council.

20 (2) The board shall make no loans if the approval of the  
21 Governor has not been obtained therefor.

22 (3) After obtaining the Governor's approval in writing, the  
23 board shall also review and may approve the loans and establish terms of  
24 repayment and a rate of interest to be paid by the ~~Division of Information~~  
25 ~~Systems~~ Office of State Technology Revolving Fund to the Budget Stabilization  
26 Trust Fund. The rate shall be approximately equivalent to the rate of  
27 interest the board is receiving on other investments at the time of approving  
28 the loan request.

29  
30 SECTION 44. Arkansas Code § 25-4-123(b), concerning the Information  
31 Technology Reserve Fund, is amended to read as follows:

32 (b) The Information Technology Reserve Fund shall consist of those  
33 funds transferred from the ~~Division of Information Systems~~ Office of State  
34 Technology Revolving Fund in an amount up to the authorized reserve for  
35 equipment acquisition as certified by the Chief Fiscal Officer of the State  
36 within thirty (30) days following the closing of each fiscal year, any loans

1 which may be received from the Budget Stabilization Trust Fund, and any other  
2 moneys which may be provided by law, there to be used exclusively for major  
3 equipment acquisitions or improvements as set out in § 25-4-122.

4  
5 SECTION 45. Arkansas Code § 25-4-124 is amended to read as follows:  
6 25-4-124. Yearly computation of expenses – Disposition of surplus  
7 funds.

8 (a) Within sixty (60) days following the final closing entries for the  
9 consolidated annual financial report for each fiscal year, the Director of  
10 the ~~Division of Information Systems~~ Office of State Technology shall obtain  
11 from the Chief Fiscal Officer of the State the written approval of a plan  
12 that shall include a proposed methodology to make all appropriate adjustments  
13 to effect compliance with state and federal statutory and regulatory  
14 provisions for the fiscal year.

15 (b)(1) If the plan under subsection (a) of this section requires  
16 appropriate credits or debits to customer accounts to effect compliance with  
17 state and federal statutory and regulatory provisions, the ~~Division of~~  
18 ~~Information Systems~~ Office of State Technology shall make any adjustments  
19 within sixty (60) days after approval of the plan.

20 (2) In the event that a customer no longer uses the services of  
21 the ~~division~~ office, a fund transfer in the amount of that customer's credits  
22 under the plan described in subsection (a) of this section shall be made from  
23 the ~~Division of Information Systems~~ Office of State Technology Revolving Fund  
24 to the customer's treasury fund, upon certification of the amount by the  
25 director to the Chief Fiscal Officer of the State and the Treasurer of State.  
26 In the event the customer does not have a treasury fund, a warrant shall be  
27 issued by the ~~division~~ office in payment of the customer's credit.

28 (c) In the event that the customer has an unpaid account balance due  
29 the ~~division~~ office, the customer's credit shall be withheld until the  
30 account balance is satisfied.

31  
32 SECTION 46. Arkansas Code § 25-4-126(a), concerning the Chief Data  
33 Officer of the Division of Information Systems, is amended to read as  
34 follows:

35 (a)(1) The Director of the ~~Division of Information Systems~~ Office of  
36 State Technology shall select an individual to serve as the Chief Data

1 Officer of the ~~Division of Information Systems~~ Office of State Technology and  
2 the Chief Privacy Officer of the ~~Division of Information Systems~~ Office of  
3 State Technology.

4 (2) The Chief Data Officer of the ~~Division of Information Systems~~  
5 Office of State Technology and the Chief Privacy Officer of the ~~Division of~~  
6 ~~Information Systems~~ Office of State Technology shall not be the same person.

7  
8 SECTION 47. The introductory language of Arkansas Code § 25-4-126(b),  
9 concerning the Chief Data Officer of the Division of Information Systems, is  
10 amended to read as follows:

11 (b) The Chief Data Officer of the ~~Division of Information Systems~~  
12 Office of State Technology shall:

13  
14 SECTION 48. The introductory language of Arkansas Code § 25-4-126(c),  
15 concerning the Chief Privacy Officer of the Division of Information Systems,  
16 is amended to read as follows:

17 (c) The Chief Privacy Officer of the ~~Division of Information Systems~~  
18 Office of State Technology shall:

19  
20 SECTION 49. Arkansas Code § 25-4-127(b)(4) and (5), concerning the  
21 members of the Data and Transparency Panel, are amended to read as follows:

22 (4)(A) The Chief Data Officer of the ~~Division of Information~~  
23 ~~Systems~~ Office of State Technology.

24 (B) The Chief Data Officer of the ~~Division of Information~~  
25 ~~Systems~~ Office of State Technology shall be the Chair of the Data and  
26 Transparency Panel.

27 (C) The members of the panel shall select a vice chair  
28 annually;

29 (5) The Chief Privacy Officer of the ~~Division of Information~~  
30 ~~Systems~~ Office of State Technology; and

31  
32 SECTION 50. Arkansas Code § 25-4-127(c)(4), concerning the duties of  
33 the Data and Transparency Panel, is amended to read as follows:

34 (4) Evaluate and identify data that may be provided to the  
35 public in accordance with data standards and specifications developed by the  
36 ~~Division of Information Systems~~ Office of State Technology;



1  
2 SECTION 51. Arkansas Code § 25-4-127(c)(8)(B), concerning the duties  
3 of the Data and Transparency Panel, is amended to read as follows:

4 (B) In implementation of the shared services data hub  
5 under subdivision (c)(8)(A) of this section, the ~~Division of Information~~  
6 ~~Systems~~ Office of State Technology shall:

7 (i)(a) Establish and maintain a program to collect,  
8 analyze, and exchange government information in carrying out the powers and  
9 duties of the executive state agency sharing the data.

10 (b) In carrying out the program under  
11 subdivision (c)(8)(B)(i)(a) of this section, the ~~Division of Information~~  
12 ~~Systems~~ Office of State Technology may obtain government information from  
13 each executive state agency;

14 (ii) Establish and maintain a program to make  
15 government information available to executive state agencies, political  
16 subdivisions, educational institutions, researchers, nongovernmental  
17 organizations, and the general public, subject to the following:

18 (a)(1) A program established and maintained  
19 under this section shall include a policy governing access to government  
20 information held by the ~~Division of Information Systems~~ Office of State  
21 Technology under this chapter.

22 (2) Government information may be made  
23 available only if doing so does not violate state or federal confidentiality  
24 and disclosure laws;

25 (b)(1) The ~~Division of Information Systems~~  
26 Office of State Technology is considered to be an agent of the executive  
27 state agency sharing government information and is an authorized receiver of  
28 government information under the statutory or administrative law that governs  
29 the government information unless:

30 (A) The ~~Division of Information~~  
31 ~~Systems~~ Office of State Technology or executive state agencies are  
32 specifically excluded as an authorized receiver; or

33 (B) An authorized receiver of  
34 government information is specifically enumerated under the statutory or  
35 administrative law governing the government information without stated  
36 exceptions or qualifications.

1 (2) Interagency data sharing under this  
 2 section does not constitute a disclosure or release under any statutory or  
 3 administrative law that governs the government information;

4 (c)(1) A program established and maintained  
 5 under this section shall prescribe a form to be used to memorialize the  
 6 sharing of data under this section.

7 (2) The form required under subdivision  
 8 (c)(8)(B)(ii)(c)(1) of this section shall be signed by the administrative  
 9 head of the executive state agency so long as the form does not require the  
 10 sharing of state agency information that would be in contradiction of  
 11 existing state or federal law; and

12 (d)(1) A data sharing form completed and  
 13 signed under subdivision (c)(8)(B)(ii)(c)(1) of this section constitutes the  
 14 agreement required by any statutory or administrative law that governs the  
 15 data.

16 (2) Additional documentation is not  
 17 required to share data under this section;

18 (iii) Establish privacy and quality policy for  
 19 government information that complies with all applicable Arkansas and federal  
 20 laws, rules, and policies;

21 (iv) According to standards developed by the state  
 22 security office, establish and maintain a program to ensure the security of  
 23 government information under this section; and

24 (v) Establish a public portal that will provide  
 25 Arkansans with easy access to data.

26  
 27 SECTION 52. Arkansas Code § 25-4-128(a), concerning the records of the  
 28 Data and Transparency Panel, is amended to read as follows:

29 (a) All records, reports, and other information obtained by the Data  
 30 and Transparency Panel shall be confidential unless approved for publication  
 31 in accordance with data standards and specifications developed by the  
 32 ~~Division of Information Systems~~ Office of State Technology.

33  
 34 SECTION 53. Arkansas Code § 25-4-129 is amended to read as follows:  
 35 25-4-129. Gifts, grants, and donations – Reports.

36 (a) The Director of the ~~Division of Information Systems~~ Office of

1 State Technology may accept on behalf of the ~~Division of Information Systems~~  
 2 Office of State Technology funds from any source, including but not limited  
 3 to:

- 4 (1) Special revenue;
- 5 (2) General revenue;
- 6 (3) Gifts;
- 7 (4) Grants;
- 8 (5) Cash;
- 9 (6) Bequests;
- 10 (7) Devices;
- 11 (8) Donations;
- 12 (9) Real property;
- 13 (10) Personal property; and
- 14 (11) Equipment.

15 (b) The ~~division~~ office shall file with the Legislative Council or, if  
 16 the General Assembly is in session, the Joint Budget Committee, a quarterly  
 17 report summarizing all funds received under subsection (a) of this section.  
 18

19 SECTION 54. Arkansas Code § 25-8-107(c), concerning the Office of  
 20 Child Support Enforcement, is amended to read as follows:

21 (c) The Department of Human Services and the ~~Division of Information~~  
 22 ~~Systems~~ Office of State Technology shall grant access to and provide  
 23 information determined by the Office of Child Support Enforcement to be  
 24 necessary to successfully accomplish its mission.  
 25

26 SECTION 55. Arkansas Code § 25-18-702(a), concerning the standards and  
 27 policies pertaining to electronic records of state agencies, is amended to  
 28 read as follows:

29 (a) The Director of the ~~Division of Information Systems~~ Office of  
 30 State Technology shall establish standards and polices governing the use,  
 31 management, retention, privacy, and security of electronic records of state  
 32 agencies.  
 33

34 SECTION 56. Arkansas Code § 25-18-703 is amended to read as follows:  
 35 25-18-703. State agency standards and policies.

36 A state agency may use the standards and policies developed by the

1 Director of the ~~Division of Information Systems~~ Office of State Technology  
2 under § 25-18-702, or it may develop its own standards and policies  
3 consistent with the requirements established in § 25-18-702(b).  
4

5 SECTION 57. Arkansas Code § 25-26-204(a)(1), concerning procurement  
6 requirements for information technology access for the blind, is amended to  
7 read as follows:

8 (a)(1) The technology access clause specified in § 25-26-203 shall be  
9 developed by the ~~Division of Information Systems~~ Office of State Technology  
10 and shall require compliance with nonvisual access standards established by  
11 the ~~division~~ office.  
12

13 SECTION 58. Arkansas Code § 25-27-103(a)(4), concerning the board  
14 members of the Information Network of Arkansas, is amended to read as  
15 follows:

16 (4) Two (2) members, or their designees, who are chief executive  
17 officers of agencies of the executive branch other than the Department of  
18 Finance and Administration and the ~~Division of Information Systems~~ Office of  
19 State Technology, shall be appointed by the Governor;  
20

21 SECTION 59. Arkansas Code § 25-27-103(a)(8), concerning the board  
22 members of the Information Network of Arkansas, is amended to read as  
23 follows:

24 (8) The Director of the ~~Division of Information Systems~~ Office of  
25 State Technology, or the Director of the ~~Division of Information Systems'~~  
26 Office of State Technology's designee.  
27

28 SECTION 60. Arkansas Code § 25-27-104(a)(1), concerning the duties of  
29 the Information Network of Arkansas, is amended to read as follows:

30 (1) To develop and implement an electronic gateway system to  
31 provide electronic access to members of the public to public information and  
32 to develop, implement, and promote the use of electronic commerce and digital  
33 signature applications within the state in cooperation with the ~~Division of~~  
34 Information Systems Office of State Technology;  
35

36 SECTION 61. Arkansas Code § 25-27-105(a)(1), concerning the network

1 manager of the Information Network of Arkansas, is amended to read as  
2 follows:

3 (a)(1) The Information Network of Arkansas shall procure a network  
4 manager after developing, in consultation with the ~~Division of Information~~  
5 ~~Systems~~ Office of State Technology, criteria and specifications for such a  
6 network manager and his or her duties.

7  
8 SECTION 62. Arkansas Code § 25-27-105(c), concerning the network  
9 manager of the Information Network of Arkansas, is amended to read as  
10 follows:

11 (c) The ~~division~~ office may provide to the Information Network of  
12 Arkansas such staff and other assistance under contract.

13  
14 SECTION 63. Arkansas Code § 25-32-117(b), concerning the creation and  
15 retention of electronic records and conversion of written records by  
16 governmental agencies, is amended to read as follows:

17 (b) Each state agency shall comply with applicable standards and  
18 policies adopted or established by the Department of Transformation and  
19 Shared Services with advice and review from the ~~Division of Information~~  
20 ~~Systems~~ Office of State Technology to determine whether and the extent to  
21 which it will retain and convert written records to electronic records.

22  
23 SECTION 64. Arkansas Code § 25-32-118(a)(2), concerning the acceptance  
24 and distribution of electronic records by governmental agencies under the  
25 Uniform Electronic Transactions Act, is amended to read as follows:

26 (2) For state agencies, the determinations shall be consistent  
27 with applicable standards and policies adopted or established by the  
28 Department of Transformation and Shared Services with advice and review from  
29 the ~~Division of Information Systems~~ Office of State Technology.

30  
31 SECTION 65. Arkansas Code § 25-34-104(a)(1), concerning agency policy  
32 under the Arkansas Computer and Electronic Solid Waste Management Act, is  
33 amended to read as follows:

34 (a)(1) Each agency shall prepare and implement an agency-wide policy  
35 for the management and sale of agency surplus computer equipment and  
36 electronics in accord with the Director of the ~~Division of Information~~

1 ~~Systems~~ Office of State Technology policies for review and replacement of  
2 computer and electronic equipment.

3  
4 SECTION 66. Arkansas Code § 25-43-812(a)(3)(D), concerning the members  
5 of the State Health Alliance for Records Exchange, is amended to read as  
6 follows:

7 (D) A representative of the ~~Division of Information Systems~~  
8 Office of State Technology;

9  
10 SECTION 67. Arkansas Code § 25-43-1502(a)(5), concerning state  
11 entities transferred to the Department of Transformation and Shared Services,  
12 is amended to read as follows:

13 (5) The Department of Information Systems, created under § 25-4-  
14 104, now to be known as the "~~Division of Information Systems~~" "Office of  
15 State Technology";

16  
17 SECTION 68. Arkansas Code § 27-14-1708(b)(1), concerning the temporary  
18 tag database within the Revenue Division of the Department of Finance and  
19 Administration, is amended to read as follows:

20 (b)(1) The vehicle temporary tag database shall be administered by the  
21 Revenue Division of the Department of Finance and Administration with the  
22 assistance of the ~~Division of Information Systems~~ Office of State Technology  
23 or other designated agent with whom the Revenue Division of the Department of  
24 Finance and Administration may contract to supply technical database and data  
25 processing expertise.

26  
27 SECTION 69. DO NOT CODIFY. Corrections.

28 The Arkansas Code Revision Commission may change references to the  
29 Division of Information Systems in the Arkansas Code to the Office of State  
30 Technology:

31 (1) During the codification of legislation enacted during the  
32 Ninety-Fifth General Assembly; and

33 (2) In existing law that was not included in this act.

34  
35 SECTION 70. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that the people of the State of

1 Arkansas rely on state department and division names to conduct business with  
2 the state; that to ensure the efficient operations of state government  
3 divisions it is important to set a date certain for the official change of  
4 the name of a division; and that this act is necessary because it will allow  
5 the Division of Information Systems to prepare for the official name change  
6 in a timely and efficient manner to coincide with the start of the fiscal  
7 year. Therefore, an emergency is declared to exist, and this act being  
8 necessary for the preservation of the public peace, health, and safety, shall  
9 become effective on July 1, 2025.

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