

ORIGINAL SENATE
FILE NO. 0157

ENROLLED ACT NO. 75, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

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

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

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

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

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

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

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

(b) The ~~commission~~ state chief 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 ~~commission~~ chief information officer to conduct business electronically. Any state agency desiring to conduct business electronically shall adopt the procedures

ORIGINAL SENATE
FILE NO. 0157

ENROLLED ACT NO. 75, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

contained in rules of the ~~commission~~ chief information officer.

(c) The ~~commission~~ chief information officer may enact rules ~~it~~ he deems necessary to implement this section subject to the provisions of the Uniform Electronic Transactions Act in title 40, ~~of~~ chapter 21. The rules shall at a minimum:

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

(h) No statutory provision which authorizes facsimile or electronic filing with any state agency shall be superseded by this section or any rule of the ~~commission~~ chief information officer adopted pursuant to this section.

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

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

(v) Nothing in this section shall prohibit the ~~on-line government commission~~ state chief information officer from enacting any rules pursuant to ~~its~~ his authority under W.S. 9-2-2501.

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

ORIGINAL SENATE
FILE NO. 0157

ENROLLED ACT NO. 75, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

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

40-21-119. Interoperability.

The ~~Wyoming on-line government commission which adopts~~ state chief information officer in adopting standards pursuant to W.S. 40-21-118 may encourage and promote consistency and interoperability with similar requirements adopted by other governmental agencies of this and other states and the federal government and nongovernmental persons interacting with governmental agencies of this state. If appropriate, those standards may specify differing levels of standards from which governmental agencies of this state may choose in implementing the most appropriate standard for a particular application.

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

ORIGINAL SENATE
FILE NO. 0157

ENROLLED ACT NO. 75, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk