

ASSEMBLY BILL NO. 18—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF ENTERPRISE
INFORMATION TECHNOLOGY SERVICES OF
THE DEPARTMENT OF ADMINISTRATION)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the Division of Enterprise Information Technology Services of the Department of Administration. (BDR 19-218)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to governmental administration; revising the definitions of certain terms related to the provision of information services to using agencies by the Division of Enterprise Information Technology Services of the Department of Administration; revising the composition of the Division; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Division of Enterprise Information Technology
2 Services of the Department of Administration that consists of: (1) the
3 Administrator; (2) the Enterprise Application Services Unit; (3) the Communication
4 and Computing Unit; and (4) the Office of Information Security. Existing law
5 further provides that the Communication and Computing Unit consists of a
6 Communications Group and Telecommunications Group. (NRS 242.080) **Section 4**
7 of this bill provides instead that the Division consists of: (1) the Administration
8 Unit, of which the Administrator is the head; (2) the Client Services Unit; (3) the
9 Computing Services Unit; (4) the Network Services Unit, which consists of a
10 Network Transport Services Group and Telecommunications Group; and (5) the
11 Office of Information Security. **Sections 8-13 and 15** of this bill make conforming
12 changes related to the revisions to the composition of the Division.

13 Existing law defines “equipment” in relation to the responsibilities and duties
14 of the Division as any machine or device designated for the automatic handling of



15 information, including but not limited to recording, storage, transmission and
16 retrieval. (NRS 242.051) **Section 1** of this bill provides instead that “equipment”
17 means any machine or device designed for the electronic handling of data or
18 information, including, without limitation, for the acquisition, storage, processing,
19 management, use, maintenance, display, distribution, disposal, transmission and
20 retrieval of data or information.

21 Existing law defines “information system” in relation to the responsibilities and
22 duties of the Division as any communications or computer equipment, computer
23 software, procedures, personnel or technology used to collect, process, distribute or
24 store information. (NRS 242.057) **Section 2** of this bill provides instead that
25 “information system” means any communications or computer equipment,
26 software, firmware, procedures, personnel or technology used to acquire, store,
27 process, manage, use, maintain, display, distribute, dispose of, transmit or retrieve
28 data or information.

29 Existing law sets forth a legislative declaration stating, in relevant part, that the
30 creation of the Division is necessary for the coordinated, orderly and economical
31 processing of information in State Government. (NRS 242.071) **Section 3** of this
32 bill revises the existing legislative declaration related to the creation of the Division
33 to provide that the Division is also necessary for the coordinated, orderly and
34 economical processing of data in State Government.

35 Existing law provides that to facilitate the economical processing of data
36 throughout the State Government, the Division may, under certain circumstances,
37 provide service for agencies not under the control of the Governor. (NRS 242.141)
38 **Section 5** of this bill authorizes the Division to also provide service for such
39 agencies to facilitate the economical processing of information throughout the State
40 Government.

41 Existing law requires the Administrator of the Division to advise using agencies
42 on the effective administration and use of the computer facility, including security
43 to prevent unauthorized access to data. (NRS 242.151) **Section 6** of this bill
44 requires the Administrator to also advise using agencies on the effective
45 administration and use of the computer facility, including security to prevent
46 unauthorized access to information.

47 Existing law authorizes the Administrator or Chief of the Office of Information
48 Security to inform certain boards or commissions of any unauthorized acquisition
49 of computerized data that materially compromises the security, confidentiality or
50 integrity of an information system. (NRS 242.183) **Section 7** of this bill authorizes
51 the Administrator or Chief to also inform such boards or commissions of
52 unauthorized acquisition of computerized information that materially compromises
53 the security, confidentiality or integrity of an information system.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 242.051 is hereby amended to read as follows:

2 242.051 “Equipment” means any machine or device designed
3 for the ~~automatic~~ *electronic* handling of *data or* information,
4 including ~~but not limited to recording,~~ *without limitation, for the*
5 *acquisition,* storage, *processing, management, use, maintenance,*
6 *display, distribution, disposal,* transmission and retrieval ~~of data~~
7 *or information.*



1 **Sec. 2.** NRS 242.057 is hereby amended to read as follows:
2 242.057 “Information system” means any communications or
3 computer equipment, ~~computer~~ software, *firmware*, procedures,
4 personnel or technology used to ~~collect,~~ *acquire, store,* process,
5 *manage, use, maintain, display,* distribute ~~or store~~, *dispose of,*
6 *transmit or retrieve data or* information.

7 **Sec. 3.** NRS 242.071 is hereby amended to read as follows:
8 242.071 1. The Legislature hereby determines and declares
9 that the creation of the Division of Enterprise Information
10 Technology Services of the Department of Administration is
11 necessary for the coordinated, orderly and economical processing of
12 *data and* information in State Government, to ensure economical
13 use of information systems and to prevent the unnecessary
14 proliferation of equipment and personnel among the various state
15 agencies.

16 2. The purposes of the Division are:
17 (a) To perform information services for state agencies.
18 (b) To provide technical advice but not administrative control of
19 the information systems within the state agencies and, as authorized,
20 of local governmental agencies.

21 **Sec. 4.** NRS 242.080 is hereby amended to read as follows:
22 242.080 1. The Division of Enterprise Information
23 Technology Services of the Department is hereby created.

24 2. The Division consists of ~~the~~ :
25 (a) *The Administration Unit.* The Administrator ~~and the~~
26 ~~—(a) Enterprise Application] is the head of the Administration~~
27 *Unit.*

28 (b) *The Client Services Unit.*
29 ~~[(b) Communication and]~~
30 (c) *The Computing Services Unit.*
31 ~~[(e)]~~ (d) *The Network Services Unit.*
32 (e) *The Office of Information Security.*

33 3. A ~~Communications]~~ *Network Transport Services* Group
34 and a Telecommunications Group are hereby created within the
35 ~~Communication and Computing]~~ *Network Services* Unit of the
36 Division.

37 **Sec. 5.** NRS 242.141 is hereby amended to read as follows:
38 242.141 To facilitate the economical processing of data *or*
39 *information* throughout the State Government, the Division may
40 provide service for agencies not under the control of the Governor,
41 upon the request of any such agency. The Division may provide
42 services, including, without limitation, purchasing services, to a
43 local governmental agency upon request, if provision of such
44 services will result in reduced costs to the State for equipment and
45 services.



1 **Sec. 6.** NRS 242.151 is hereby amended to read as follows:
2 242.151 The Administrator shall advise the using agencies
3 regarding:

4 1. The policy for information services of the Executive Branch
5 of Government, as that policy relates, but is not limited, to such
6 items as standards for systems and programming and criteria for the
7 selection, location and use of information systems in order that the
8 requirements of state agencies and officers may be met at the least
9 cost to the State;

10 2. The procedures in performing information services; and

11 3. The effective administration and use of the computer
12 facility, including security to prevent unauthorized access to data ,
13 *information* and plans for the recovery of systems and applications
14 after they have been disrupted.

15 **Sec. 7.** NRS 242.183 is hereby amended to read as follows:

16 242.183 1. The Chief of the Office of Information Security
17 shall investigate and resolve any breach of an information system of
18 a state agency or elected officer that uses the equipment or services
19 of the Division or an application of such an information system or
20 unauthorized acquisition of computerized data that materially
21 compromises the security, confidentiality or integrity of such an
22 information system.

23 2. The Administrator or Chief of the Office of Information
24 Security, at his or her discretion, may inform members of the
25 Technological Crime Advisory Board created by NRS 205A.040,
26 the Nevada Commission on Homeland Security created by
27 NRS 239C.120 and the Information Technology Advisory Board
28 created by NRS 242.122 of any breach of an information system of
29 a state agency or elected officer or application of such an
30 information system or unauthorized acquisition of computerized
31 data *or information* that materially compromises the security,
32 confidentiality or integrity of such an information system.

33 **Sec. 8.** NRS 242.191 is hereby amended to read as follows:

34 242.191 1. Except as otherwise provided in subsection 3, the
35 amount receivable from a state agency or officer or local
36 governmental agency which uses the services of the Division must
37 be determined by the Administrator in each case and include:

38 (a) The annual expense, including depreciation, of operating and
39 maintaining the ~~[Communication and Computing]~~ *Network Services*
40 Unit, distributed among the agencies in proportion to the services
41 performed for each agency.

42 (b) A service charge in an amount determined by distributing the
43 monthly installment for the construction costs of the computer
44 facility among the agencies in proportion to the services performed
45 for each agency.



1 2. The Administrator shall prepare and submit monthly to the
2 state agencies and officers and local governmental agencies for
3 which services of the Division have been performed an itemized
4 statement of the amount receivable from each state agency or officer
5 or local governmental agency.

6 3. The Administrator may authorize, if in his or her judgment
7 the circumstances warrant, a fixed cost billing, including a factor for
8 depreciation, for services rendered to a state agency or officer or
9 local governmental agency.

10 **Sec. 9.** Chapter 233F of NRS is hereby amended by adding
11 thereto a new section to read as follows:

12 ***“Network Transport Services Group” means the Network***
13 ***Transport Services Group of the Network Services Unit of the***
14 ***Division.***

15 **Sec. 10.** NRS 233F.010 is hereby amended to read as follows:

16 233F.010 As used in this chapter, unless the context otherwise
17 requires, the words and terms defined in NRS 233F.015 to
18 233F.065, inclusive, ***and section 9 of this act,*** have the meanings
19 ascribed to them in those sections.

20 **Sec. 11.** NRS 233F.065 is hereby amended to read as follows:

21 233F.065 “Telecommunications Group” means the
22 Telecommunications Group of the ~~{Communication—and~~
23 ~~Computing}~~ ***Network Services*** Unit of the Division.

24 **Sec. 12.** NRS 233F.117 is hereby amended to read as follows:

25 233F.117 If a state agency other than the ~~{Communications}~~
26 ***Network Transport Services*** Group adds equipment which extends
27 the state communications system to another location, the extension,
28 if approved by the Administrator, becomes part of the state
29 communications system. An approved extension of the system is
30 subject to the provisions of this chapter relating to the system.

31 **Sec. 13.** NRS 459.742 is hereby amended to read as follows:

32 459.742 The Commission, in carrying out its duties and within
33 the limits of legislative appropriations and other available money,
34 may:

35 1. Enter into contracts, leases or other agreements or
36 transactions;

37 2. Provide grants of money to local emergency planning
38 committees to improve their ability to respond to emergencies
39 involving hazardous materials;

40 3. Assist with the development of comprehensive plans for
41 responding to such emergencies in this State;

42 4. Provide technical assistance and administrative support to
43 the Telecommunications Group of the ~~{Communication—and~~
44 ~~Computing}~~ ***Network Services*** Unit of the Division of Enterprise
45 Information Technology Services of the Department of



1 Administration for the development of systems for communication
2 during such emergencies;

3 5. Provide technical and administrative support and assistance
4 for training programs;

5 6. Develop a system to provide public access to data relating to
6 hazardous materials;

7 7. Support any activity or program eligible to receive money
8 from the Contingency Account for Hazardous Materials;

9 8. Approve programs developed to address planning for and
10 responding to emergencies involving hazardous materials; and

11 9. Coordinate the activities administered by state agencies to
12 carry out the provisions of this chapter, 42 U.S.C. §§ 11001 et seq.
13 and 49 U.S.C. §§ 5101 et seq.

14 **Sec. 14.** 1. Any administrative regulations adopted by an
15 officer or an agency whose name has been changed or whose
16 responsibilities have been transferred pursuant to the provisions of
17 this act to another officer or agency remain in force until amended
18 by the officer or agency to which the responsibility for the adoption
19 of the regulations has been transferred.

20 2. Any contracts or other agreements entered into by an officer
21 or agency whose name has been changed or whose responsibilities
22 have been transferred pursuant to the provisions of this act to
23 another officer or agency are binding upon the officer or agency to
24 which the responsibility for the administration of the provisions of
25 the contract or other agreement has been transferred. Such contracts
26 and other agreements may be enforced by the officer or agency to
27 which the responsibility for the enforcement of the provisions of the
28 contract or other agreement has been transferred.

29 3. Any action taken by an officer or agency whose name has
30 been changed or whose responsibilities have been transferred
31 pursuant to the provisions of this act to another officer or agency
32 remains in effect as if taken by the officer or agency to which the
33 responsibility for the enforcement of such actions has been
34 transferred.

35 **Sec. 15.** NRS 233F.045 is hereby repealed.

36 **Sec. 16.** This act becomes effective on July 1, 2023.



TEXT OF REPEALED SECTION

233F.045 “Communications Group” defined.
“Communications Group” means the Communications Group of the
Communication and Computing Unit of the Division.

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