

Assembly Bill No. 18—Committee
on Government Affairs

CHAPTER.....

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:

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

Existing law defines “equipment” in relation to the responsibilities and duties of the Division as any machine or device designated for the automatic handling of information, including but not limited to recording, storage, transmission and retrieval. (NRS 242.051) **Section 1** of this bill provides instead that “equipment” means any machine or device designed for the electronic handling of data or information, including, without limitation, for the acquisition, storage, processing, management, use, maintenance, display, distribution, disposal, transmission and retrieval of data or information.

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

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

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



agencies to facilitate the economical processing of information throughout the State Government.

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

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

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

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

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

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

Sec. 2. NRS 242.057 is hereby amended to read as follows:

242.057 “Information system” means any communications or computer equipment, ~~computer~~ software, *firmware,* procedures, personnel or technology used to ~~collect,~~ *acquire, store,* process, *manage, use, maintain, display,* distribute ~~[or store]~~ *, dispose of, transmit or retrieve data or* information.

Sec. 3. NRS 242.071 is hereby amended to read as follows:

242.071 1. The Legislature hereby determines and declares that the creation of the Division of Enterprise Information Technology Services of the Department of Administration is necessary for the coordinated, orderly and economical processing of *data and* information in State Government, to ensure economical use of information systems and to prevent the unnecessary proliferation of equipment and personnel among the various state agencies.

2. The purposes of the Division are:

(a) To perform information services for state agencies.



(b) To provide technical advice but not administrative control of the information systems within the state agencies and, as authorized, of local governmental agencies.

Sec. 4. NRS 242.080 is hereby amended to read as follows:

242.080 1. The Division of Enterprise Information Technology Services of the Department is hereby created.

2. The Division consists of ~~the~~ :

(a) *The Administration Unit.* The Administrator ~~and the~~ ~~(a) Enterprise Application~~ is the head of the Administration Unit.

(b) *The Client Services Unit.*

~~(b) Communication and~~

(c) *The Computing Services Unit.*

~~(c)~~ (d) *The Network Services Unit.*

(e) *The Office of Information Security.*

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

Sec. 5. NRS 242.141 is hereby amended to read as follows:

242.141 To facilitate the economical processing of data *or information* throughout the State Government, the Division may provide service for agencies not under the control of the Governor, upon the request of any such agency. The Division may provide services, including, without limitation, purchasing services, to a local governmental agency upon request, if provision of such services will result in reduced costs to the State for equipment and services.

Sec. 6. NRS 242.151 is hereby amended to read as follows:

242.151 The Administrator shall advise the using agencies regarding:

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

2. The procedures in performing information services; and

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



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

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

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

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

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

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

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

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

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



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

“Network Transport Services Group” means the Network Transport Services Group of the Network Services Unit of the Division.

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

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

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

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

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

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

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

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

1. Enter into contracts, leases or other agreements or transactions;
2. Provide grants of money to local emergency planning committees to improve their ability to respond to emergencies involving hazardous materials;
3. Assist with the development of comprehensive plans for responding to such emergencies in this State;
4. Provide technical assistance and administrative support to the Telecommunications Group of the ~~{Communication and Computing}~~ *Network Services* Unit of the Division of Enterprise Information Technology Services of the Department of Administration for the development of systems for communication during such emergencies;
5. Provide technical and administrative support and assistance for training programs;
6. Develop a system to provide public access to data relating to hazardous materials;



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

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

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

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

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

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

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

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

