

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

H

1

HOUSE BILL 1394

Short Title: IT Employee Reserve Funds.

(Public)

Sponsors: Representative Miller.

Referred to: Appropriations.

April 26, 2001

A BILL TO BE ENTITLED

AN ACT ALLOWING FLEXIBILITY IN THE FUNDING OF INFORMATION TECHNOLOGY POSITIONS IN STATE GOVERNMENT; CREATING THE INFORMATION TECHNOLOGY EMPLOYEE RESERVE FUND; AND APPROPRIATING FUNDS TO THE RESERVE FUND.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-23 is amended by adding a new subsection to read:

"(a5) Notwithstanding any other provision of this section, a department, institution, or other spending agency of the State may, with approval of the Director of the Budget, increase the amount of funds available for salaries, wages, and related expenses in connection with the hiring and retention of State employees to work in information technology positions, provided that there is a corresponding reduction in contracted personal services related to information technology."

**SECTION 2.(a)** Article 1 of Chapter 143 of the General Statutes is amended by adding a new section to read:

**"§ 143-34.8. Information Technology Employee Reserve Fund.**

(a) There is created the Information Technology Employee Reserve Fund. The fund shall be located in, and administered by, the Office of State Budget, Planning, and Management. The purpose of the fund shall be to provide to State agencies the flexibility required to hire and retain qualified information technology personnel in the most effective and efficient manner.

(b) The Office of State Budget, Planning, and Management shall adopt criteria to be used in administering the fund and allocating monies to State agencies that apply for these funds. The State Chief Information Officer shall, at the request of the Office of State Budget, Planning, and Management, provide technical assistance relative to the administration of the Information Technology Employee Reserve Fund.

1       (c) The head of each State agency, department, and institution shall provide  
2 quarterly to the Office of State Budget, Planning, and Management a detailed report on  
3 the following:

4           (1) The identity of every independent contractor working for the agency in  
5 an information technology capacity.

6           (2) The terms and conditions of all information technology personal  
7 services contracts that are in effect.

8           (3) Whether there is a need for the extension of any contract in effect for  
9 information technology personal services.

10          (4) Any other relevant information required by the Office of State Budget,  
11 Planning, and Management.

12       (d) The Office of State Budget, Planning, and Management shall report, by  
13 December 1 of each year, to the Joint Legislative Commission on Governmental  
14 Operations on the use of contracts for personal services related to information  
15 technology and the administration of the Information Technology Employee Reserve  
16 Fund."

17           **SECTION 3.** There is appropriated from the General Fund to the Office of  
18 State Budget, Planning, and Management the sum of twenty-five million dollars  
19 (\$25,000,000) for the 2001-2002 fiscal year and the sum of twenty-five million dollars  
20 (\$25,000,000) for the 2002-2003 fiscal year to fund the Information Technology  
21 Employee Reserve Fund created by this act.

22           **SECTION 4.** This act becomes effective July 1, 2001.