



SENATE BILL 99: Appropriations Act of 2018, Sec. 37.5: Exempt DOR/IT from Transition to DIT

2017-2018 General Assembly

Committee:		Date:	July 23, 2018
Introduced by:		Prepared by:	Nicholas Giddings Staff Attorney
Analysis of:	Sec. 37.5 of S.L. 2018-5		

OVERVIEW: *Sec. 37.5 of S.L. 2018-5, as amended by Sec. 10.4 of S.L. 2018-97, provides that the Department of Revenue is not subject to the migration of information technology functions and personnel to the Department of Information Technology. Sec. 10.4 of S.L. 2018-97 provides that the Community College System Office has until October 1, 2019, to report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division on its transition plan to the Department of Information Technology.*

Please see the full summary for details on the various effective dates.

CURRENT LAW: G.S. 143B-1325 requires certain State agencies to transfer information technology personnel, operations, projects, assets, and appropriate funding to the Department of Information Technology (DIT) for the State Chief Information Officer to prepare plans to transition each participating agency to DIT. S.L. 2017-204¹ provided the Department of Revenue (DOR) additional time to complete the transfer and consolidation of its information technology to DIT due to the heightened security requirements imposed by the federal government for purposes of sharing taxpayer information, which were not yet in place at DIT.

BILL ANALYSIS: Sec. 37.5 of S.L. 2018-5 provides that DOR is not subject to the migration of information technology functions and personnel to DIT. DOR's security protocols are determined by the taxpayer secrecy and confidentiality provisions of G.S. 105-259 and IRS Publication 1075. The IT personnel in DOR meet the federally-required security checks, possess IT knowledge and skill, and understand tax law and tax return processing. Although the Department will not be subject to the migration of its IT functions and personnel to DIT, it will continue to furnish tax information to the State Chief Information Officer as required by G.S. 105-259(b)(45) and G.S. 143B-1385 for use by the Government Data Analytics Center.

G.S. 143B-1325 provides that the Community College System Office, the Department of Public Instruction, DOR, and the Bipartisan State Board of Elections and Ethics Enforcement have until October 1, 2018, to report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division on their respective transition plans. As DOR is no longer subject to the migration of information technology to DIT, DOR will also no longer be required to report on its transition plans. As amended, this section further provides that the Community College System Office has until October 1, 2019, to report on its transition plans.

EFFECTIVE DATE: Sec. 37.5 (c) of S.L. 2018-5 became effective July 1, 2018. The remainder of the section became effective June 12, 2018. Sec. 10.4 of S.L. 2018-97 became effective July 1, 2018.

¹ A link to S.L. 2017-204 can be found [here](#).

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578