ARKANSAS REGISTER

Proposed Rule Cover Sheet

Secretary of State
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Name of Department Transformation and Shared Services

Agency or Division Name Division of Information Systems

Other Subdivision or Department, If Applicable

Previous Agency Name, If Applicable

Contact Person Jennifer Davis

Contact E-mail jennifer.davis@arkansas.gov

Contact Phone 501-683-1672

Name of Rule Department of Information Systems Rules dated October 17, 1997

Newspaper Name Arkansas Democrat Gazette

Date of Publishing Sat 12/28/24, Sun 12/29/24, and Mon 12/30/24

Final Date for Public Comment Monday, January 27, 2025 at 4:30pm

Location and Time of Public Meeting January 21, 2025 at 1:30pm; River Valley Room G-08, 501 Woodlane, LR, AR

DEPARTMENT OF INFORMATION SYSTEMS

RULES

OCTOBER 17, 1997

RULE 1. Information Technology planning for the state will encompass two distinct but related planning areas: a state information technology plan and individual agency biennial information technology plans. Key aspects of the planning effort are to identify the information technology objectives and how those objectives support State and agency missions, how they achieve or enhance electronic access to records, information, and services, and how they promote efficient sharing of information throughout state government.

Agencies must develop and implement an information technology planning process that supports the state information technology plan and complements the biennial budgeting cycle. Where appropriate, in addition to an overall agency perspective, agency plans should reflect individualized plans for agency components, e.g. divisions, offices, etc. and should provide a coordinating structure for the complete agency.

This rule relates to **ACA 25-4-110.**

RULE 2. Agencies will work with the Department of Information Systems (DIS) to implement a robust business decision process regarding information technology. This process should address agency needs, service sources, and strategic implications of the agency initiatives. When an initiative impacts multiple agencies or information is to be shared across agencies, all affected agencies should be involved in the process.

DIS is prepared to assist the agency in determining the appropriate course of action and to address related strategic implications. The Office of Information Technology (OIT) will act as a coordinating focal point for the agency to ensure appropriate strategic implications, service providers, and agencies are included in the business decision process.

This rule relates to **ACA 25-4-102, ACA 25-4-109, ACA 25-4-111, ACA 25-4-112,** and **ACA 25-4-114.**

DEPARTMENT OF INFORMATION SYSTEMS

RULES

OCTOBER 17, 1997

INTRODUCTION Under the provisions of "The Arkansas Information Systems Act of 1997, Act 914, and codified as Arkansas Code Annotated (ACA), Section 25, Chapter 4, the Department of Information Systems (DIS), the Office of Information Technology (OIT), and the Rules and Regulations Working Group encourage partnerships based on one fundamental principle: all parties are responsible for maintaining a flexible and responsive information management environment within Arkansas government. The collective efforts of DIS, partners, and working groups will provide a flexible framework for state and agency planners reflective of the state's needs and of an evolving infrastructure. As stewards of the information upon which decisions are based, we recognize the importance of the quality, accuracy, and availability of information to the citizens, industries, and businesses of Arkansas.

The following rules foster cooperation and coordination between DIS and other state agencies. The limited number of rules demonstrates a firm commitment and willingness to manage the state's information resources in an efficient and equitable manner. These rules emphasize a cooperative planning process rather than procurement details. They provide the flexibility needed in government and encourage efficient use of resources to benefit the citizens of the state.

Jennifer Davis

From: Legal Ads <legalads@arkansasonline.com>
Sent: Thursday, December 26, 2024 12:00 PM
To: Jennifer Davis
Subject: Re: Notice of Rulemaking

Will run Sat 12/28, Sun 12/29, and Mon 12/30/

Thank you,

Gregg Sterne, Legal Advertising
Arkansas Democrat-Gazette
legalads@arkansasonline.com

From: "Jennifer Davis, DIS" <Jennifer.Davis@arkansas.gov>
To: "legalads" <legalads@arkansasonline.com>
Sent: Thursday, December 26, 2024 11:50:32 AM
Subject: Notice of Rulemaking

Greetings,

Please run the attached Notice of Rulemaking for 3 consecutive days as soon as possible to include Sunday as one of the three days. The billing address is the Arkansas Department of Transformation and Shared Services, PO Box 3522, Little Rock, AR 72203. If you have any questions, please contact me at 501-683-1672.

Please confirm the dates in which the notice will run.

Thank you,
Jennifer

Jennifer Davis
Chief Privacy Officer
Transformation and Shared Services
E: Jennifer.Davis@arkansas.gov
O: 501-683-1672

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT Transformation and Shared Services, Division of Information Systems
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT Jennifer Davis
TELEPHONE NO. (501) 683-1672 **EMAIL** jennifer.davis@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE Department of Information Systems Rules dated October 17, 1997

1. Does this proposed, amended, or repealed rule have a financial impact?
   Yes ☐ No ☑

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
   Yes ☑ No ☐

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☑ No ☐

   If no, please explain:

   (a) how the additional benefits of the more costly rule justify its additional cost;

   (b) the reason for adoption of the more costly rule;

   (c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

   (d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:

   (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year	**Next Fiscal Year**
General Revenue_____	General Revenue_____
Federal Funds_____	Federal Funds_____
Cash Funds_____	Cash Funds_____
Special Revenue_____	Special Revenue_____
Other (Identify)_____	Other (Identify)_____
Total_____	Total_____

(b) What is the additional cost of the state rule?

Current Fiscal Year	**Next Fiscal Year**
General Revenue_____	General Revenue_____
Federal Funds_____	Federal Funds_____
Cash Funds_____	Cash Funds_____
Special Revenue_____	Special Revenue_____
Other (Identify)_____	Other (Identify)_____
Total_____	Total_____

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year	**Next Fiscal Year**
$_____	$_____

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year	**Next Fiscal Year**
$_____	$_____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars ($100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☑

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

(1) a statement of the rule's basis and purpose;

(2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;

(3) a description of the factual evidence that:
(a) justifies the agency's need for the proposed rule; and
(b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;

(4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and

(7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
(a) the rule is achieving the statutory objectives;
(b) the benefits of the rule continue to justify its costs; and
(c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

Notice of Rulemaking

Pursuant to Arkansas Code Annotated § 25-15-201 et seq., notice is hereby given that the Arkansas Department of Transformation and Shared Services, Division of Information Systems is considering a repeal of the following rules: (1) Policy Statement – Project Management; (2) Standard Statement – Password Management; (3) Standard Statement – Virus Scanning; (4) Standard Statement – Warning Banner; (5) Standard Statement – Personnel Security; (6) Standard Statement – Encryption; and (7) Department of Information System Rules dated October 17, 1997. A public hearing will be held on January 21, 2025, at 1:30pm in the River Valley Conference Room, 501 Woodlane Avenue, Suite G-08, Little Rock, AR 72201. Written comments should be mailed to TSS, Attn: Public Comments at P.O. Box 3522, Little Rock, AR 72203. Comments may also be e-mailed to TSS.RulesComments@arkansas.gov. Copies of the proposed rule may also be obtained from the Department of Transformation and Shared Services, 501 Woodlane Avenue, Little Rock, AR 72201, or by accessing the Department's website at https://transform.ar.gov/secretarys-office/legal/rules-hearings/.