

**§1975. Noncompliance**

The purchase of data processing equipment, software or services or internal systems development efforts may not be made except in accordance with this chapter. An agency may not purchase any data processing equipment, software or services without the prior written approval of the commissioner or the Chief Information Officer. The State Controller may not authorize payment for data processing equipment, software or services without evidence of prior approval of the purchases by the commissioner or the Chief Information Officer. [PL 2001, c. 667, Pt. A, §3 (AMD).]

**1. Noncompliance defined.** A state agency is in noncompliance with this chapter if the agency:

A. Purchases data processing equipment, software or services in noncompliance with this chapter; or [PL 2001, c. 667, Pt. A, §3 (AMD).]

B. Fails to adhere to the data processing standards established by the commissioner and the Chief Information Officer. [PL 2005, c. 12, Pt. SS, §15 (AMD).]  
[PL 2005, c. 12, Pt. SS, §15 (AMD).]

**2. Penalty.** Any state agency found to be in noncompliance as defined in this section is prohibited from acquiring or purchasing data processing equipment, software and services until the commissioner or the Chief Information Officer determines that the state agency is in compliance with this chapter.

Notwithstanding the provisions of this section, the commissioner or the Chief Information Officer may act to acquire or purchase data processing equipment, software and services to maintain or meet the emergency needs of a state agency.

[PL 2001, c. 667, Pt. A, §3 (AMD).]

**SECTION HISTORY**

PL 2001, c. 388, §14 (NEW). PL 2001, c. 667, §A3 (AMD). PL 2005, c. 12, §§S15 (AMD).

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