

**NOTICE OF PROPOSED RULEMAKING
REPEAL AND REPLACEMENT OF 1.12.9 NMAC**

Pursuant to NMSA 1978, Sections 9-27-6(J) and 14-4-5.2, the New Mexico Department of Information Technology (DoIT) hereby gives notice of repeal and replacement of 1.12.9 NMAC, Project Certification of Technology Projects.

The repeal and replacement change the title of the Rule to *Certification of Information Technology Projects*; remove references to the no longer existing Information Technology Commission; update the statutory authority to refer to the New Mexico Department of Information Technology Act; remove several definitions not used in the Rule; add several new definitions; and update provisions delineating the information technology project certification process for executive agencies.

The purpose of the repeal and replacement is to update 1.12.9 NMAC to reflect the current information technology project certification process. 1.12.9 NMAC was enacted in 2005 – or two years prior to the creation of the Department of Information Technology in 2007 – and has not been updated since.

Pursuant to NMSA 1978, Section 9-27-6(E)(12), the Department of Information Technology Cabinet Secretary “shall . . . promulgate rules to ensure that information technology projects satisfy criteria established by the secretary and are phased in with funding released in phases contingent upon successful completion of the prior phase[.]” Further, Section 9-27-6(I)(5) authorizes “[t]he secretary [to] make and adopt such reasonable procedural rules as may be necessary to carry out the duties of the department . . . including . . . requirements for agency information technology projects and related plan, analysis, oversight, assessment and specifications.”

An electronic copy of this Notice and the full text of the proposed new rule 1.12.9 NMAC is available on DoIT’s website - <https://www.doit.state.nm.us/newsreleases.html> and on the New Mexico Sunshine Portal - https://statenm.secure.force.com/public/SSP_RuleHearingSearchPublic

Hard copies of this Notice and the full text of the proposed new rule 1.12.9 NMAC are available at 715 Alta Vista, Santa Fe, NM 87505.

Written comments may be submitted via email to epmo@state.nm.us and via regular mail to New Mexico Department of Information Technology, Attn: EPMO, P.O. Box 22550, Santa Fe, NM 87502-2550. Written comments must be received no later than 5 p.m. on December 30, 2021.

A public rule hearing will be held at 10 a.m. on January 4, 2022, via WebEx©. Members of the public may participate by:

videoconference –
<https://nmdoit.webex.com/nmdoit/onstage/g.php?MTID=ea6cb142b89af3807281f54af1a91287e>
event number: 2488 102 8056
event password: RXp3mJkSP83

telephone –
1-408-418-9388 / access code: 2488 102 8056

Any individual with a disability in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing should contact Diane Rivera, IT Project Manager, diane.rivera@state.nm.us or (505) 795-4644 at least seven (7) days prior to the hearing.