

ENROLLED HOUSE
BILL NO. 2138

By: Paulk, Pettigrew and
Pope (Tim) of the House

and

Herbert, Williamson,
Robinson, Fisher and
Muegge of the Senate

An Act relating to public finance; amending 62 O.S. 1991, Section 41.5h, which relates to the Information Services Division of the Office of State Finance; prohibiting use of automated telephone answering systems by entities of state government during regular hours of operation; providing exception; prohibiting certain use of automated phone systems; requiring Director of State Finance to ensure compliance; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 62 O.S. 1991, Section 41.5h, is amended to read as follows:

Section 41.5h A. The Information Services Division of the Office of State Finance is directed, authorized and empowered to establish criteria for and manage the installation, maintenance and administration of a central communication or intercommunication system for and upon behalf of this state, the installation shall fulfill communication or intercommunications requirements of this state and its agencies located in the Capitol and those buildings situated on the Capitol grounds, known as the "Capitol Complex" in Oklahoma City, Oklahoma, and the state owned building known as the "Tulsa Capitol Building" in Tulsa, Oklahoma.

B. The Division shall render a statement of charges at the end of each month to all state agencies to which it has furnished communications services for the direct cost sustained, provided that:

1. A pro-rata formula is to be established in writing after giving consideration to the type of service furnished, the number and kinds of instruments used, the cost of operation and special installations required in each such agency in relation to the total cost of local service. The formula, once determined, is not to be redetermined more often than once every six (6) months nor to be changed after any such redetermination before the expiration of six (6) months; and

2. The Division is to be reimbursed by the state or any of its agencies for actual cost incurred for equipment installation or modification or for toll charges for use of telephone, telegraph, teletype, data communications or other form or forms of communication or intercommunication incurred by the state or by any agency.

C. No telephone, teletype, switchboard, line, cable system, data communication system or systems of communication or intercommunication are to be installed in any building or buildings owned, rented, leased or otherwise held by this state or its agencies at locations described in subsection A of this section without written order of the Director of State Finance. Provided, however, that acquisition and installation of such equipment in the House of Representatives shall be subject to the final approval of the Speaker of the House of Representatives.

D. No state agency, board, commission, department, or any other entity of state government shall be allowed to use an automated telephone system for answering telephone calls placed to the entity's main telephone number or local division during its regular hours of operation unless the automated telephone system provides, as the first menu option, an option that permits a caller to speak directly to an employee of the entity without listening to the entire recorded message. No state employee shall use an automated phone answering system to screen telephone calls for the purpose of refusing to communicate with any person if the subject matter of the telephone message or the identity of the caller relates to a duty or responsibility of the entity for which the employee performs services or relates to a duty or responsibility of the employee. The Director of State Finance shall ensure that each entity of state government establishes a procedure for answering telephone calls placed to the entity during its regular business hours that conforms to the requirements of this subsection.

E. The employees of the Centrex Unit of the Communications Division of the Office of Public Affairs, and the funds, records, equipment, furniture and fixtures, files and supplies, of whatsoever kind and character now utilized by the Centrex Unit shall be and are ordered transferred to the Information Services Division of the Office of State Finance.

~~E.~~ F. No employee transferred pursuant to subsection ~~D~~ E of this section shall be required to accept a lesser grade of salary than presently received plus any salary adjustments provided by the Legislature for state employees, and no entrance examination shall be required for continued employment in the same or similar positions with the Office of State Finance.

SECTION 2. This act shall become effective July 1, 1997.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 27th day of May, 1997.

Speaker of the House of
Representatives

Passed the Senate the 28th day of May, 1997.

President of the Senate