

ENGROSSED HOUSE
BILL NO. 1849

By: Reynolds, Dank, Tibbs and
Adkins of the House

and

Myers of the Senate

(state government - contracts - computer software -
codification -
effective date)

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 41.5t of Title 62, unless there
is created a duplication in numbering, reads as follows:

A. No state agency, as defined by Section 250.3 of Title 75 of
the Oklahoma Statutes, nor the Purchasing Division of the Department
of Central Services, unless otherwise provided by federal law, shall
enter into a contract for the acquisition of computer software
developed exclusively for the agency or the state, unless the vendor
agrees to provide to the agency or the state the source code for the
software.

B. The State Purchasing Director or the procurement officer of
state agencies not subject to the Central Purchasing Act shall not
process any state agency request for the acquisition of computer
software developed exclusively for the agency unless the proposed
vendor provides documentation that complies with subsection A of
this section.

C. The State Purchasing Director shall provide advice and
assistance, as may be required, in order for state agencies to
comply with the provisions of this section.

D. As used in this section:

1. "State agency" shall include all state agencies, whether subject to the Central Purchasing Act or not; and

2. "Source code" means the programming instruction for a computer program in its original form, created by a programmer with a text editor or a visual programming tool and saved in a file.

SECTION 2. This act shall become effective July 1, 2004.

Passed the House of Representatives the 4th day of March, 2004.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2004.

Presiding Officer of the Senate