

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HJR1627

By: Reynolds

AS INTRODUCED

An Act relating to state government; prohibiting contracts for certain computer software unless the source code is provided; requiring certain documentation; directing the State Purchasing Director to provide advice and assistance; providing definitions; providing for codification; and declaring an emergency.

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 85.7d of Title 74, unless there is created a duplication in numbering, reads as follows:

A. No state agency nor the Purchasing Division of the Department of Central Services 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. For purposes of this section, "state agency" shall include all state agencies, whether subject to the Central Purchasing Act or not.

E. For purposes of this section, "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. 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.

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