

CS for EHB 1862

THE STATE SENATE  
Wednesday, April 13, 2005

Committee Substitute for  
ENGROSSED  
House Bill No. 1862

COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1862 - By:  
BLACKWELL of the House and ADELSON of the Senate.

[ public finance - Information Services Division - effective  
date ]

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

SECTION 1. AMENDATORY 62 O.S. 2001, Section 41.5a, is  
amended to read as follows:

Section 41.5a A. The Information Services Division shall:

1. Coordinate data processing planning through analysis of each  
agency's long-term data processing plans;

2. Develop a ~~state-wide~~ statewide data processing plan with  
annual modifications to include as a minimum:

- ~~a.~~ ~~individual agency plans,~~
- ~~b.~~ information systems plans for the ~~state-wide~~ statewide  
electronic data processing function,
- ~~e.~~ b. major development projects proposed for the current  
year and the next three (3) years, and
- ~~d.~~ c. an explanation of revisions to previous plans;

3. Establish minimum ~~mandatory~~ standards for:

- 1 a. information systems planning,
- 2 b. systems development methodology,
- 3 c. documentation,
- 4 d. hardware requirements and compatibility,
- 5 e. operating systems compatibility,
- 6 f. software and hardware acquisition,
- 7 g. data security and internal controls,
- 8 h. data base compatibility, and
- 9 i. contingency planning and disaster recovery.

10 Such standards ~~shall, upon adoption,~~ may be the minimum  
11 requirements applicable to all agencies. These standards shall be  
12 compatible with the standards established for the Oklahoma  
13 Government Telecommunications Network created in Section ~~±~~ 41.5m of  
14 this act. ~~Individual agency standards may be more specific than~~  
15 ~~state-wide requirements but shall in no case be less than the~~  
16 ~~minimum mandatory standards. Where standards required of an~~  
17 ~~individual agency of the state by agencies of the federal government~~  
18 ~~are more strict than the state minimum standards, such federal~~  
19 ~~requirements shall be applicable~~ title;

20 4. Develop and maintain applications for agencies not having the  
21 capacity to do so;

1           5. Operate a data processing service center to provide  
2 operations and hardware support for agencies requiring such services  
3 and for ~~state-wide~~ statewide systems;

4           6. Maintain a directory of application systems, systems  
5 software, hardware, internal and external data processing studies  
6 and training courses in use by all agencies of the state; and  
7 facilitate the utilization of such resources by any agency having  
8 requirements which are found to be available within any agency of  
9 the state;

10          7. Assist agencies in the acquisition and utilization of data  
11 processing systems and hardware to effectuate the maximum benefit  
12 for the provision of services and accomplishment of the duties and  
13 responsibilities of agencies of the state;

14          8. In conjunction with the Office of Personnel Management,  
15 establish training guidelines for electronic data processing  
16 personnel, assist agencies in placing personnel in appropriate  
17 courses offered by other agencies of the state, and sponsor training  
18 courses for attendance by data processing personnel of all agencies;

19          9. Coordinate for the executive branch of state government  
20 agency data processing activities, encourage joint projects and  
21 common systems, and linking of agency systems through the review of  
22 agency plans, development of a ~~state-wide~~ statewide plan and its  
23 integration with the budget process to ensure that developments

1 and/or acquisitions are consistent with ~~state-wide~~ statewide  
2 objectives and that proposed systems are justified and cost  
3 effective;

4 10. Develop performance reporting guidelines for data  
5 processing facilities and conduct an annual review to compare agency  
6 plans and budgets with results and expenditures;

7 11. Establish operations review procedures for data processing  
8 installations operated by agencies of the state for independent  
9 assessment of productivity, efficiency, and cost effectiveness;

10 12. Establish service center user charges for billing costs to  
11 agencies based on the use of all resources; and

12 13. Provide system development and consultant support to state  
13 agencies on a contractual, cost reimbursement basis.

14 B. No agency of the executive branch of the state shall use  
15 state funds for or enter into any agreement for the acquisition of  
16 computer hardware or software exceeding ~~Two Thousand Five Hundred~~  
17 ~~Dollars (\$2,500.00)~~ Twenty-five Thousand Dollars (\$25,000.00) in  
18 value without written authorization of the Director of State  
19 Finance. The provisions of this subsection shall not be applicable  
20 to any member of The Oklahoma State System of Higher Education, any  
21 public elementary or secondary schools of the state, or any  
22 technology center school district as defined in Section 14-108 of  
23 Title 70 of the Oklahoma Statutes.

1 C. The provisions of this act shall not require the disclosure,  
2 directly or indirectly, of any information of a state agency which  
3 is declared to be confidential or privileged by state or federal  
4 statute or the disclosure of which is restricted by agreement with  
5 the United States or one of its agencies, nor the disclosure of data  
6 processing system details that may permit the access to confidential  
7 information.

8 SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.5i, is  
9 amended to read as follows:

10 Section 41.5i In addition to the powers and duties as defined  
11 elsewhere in this title, the Information Services Division of the  
12 Office of State Finance shall:

13 1. Coordinate statewide planning for communication and  
14 telecommunications needs of state government, including, but not  
15 limited to, voice, data, radio, video and facsimile transmissions  
16 through analysis of each agency's long-term communication and  
17 telecommunications plans;

18 2. Develop and integrate a statewide communications plan to  
19 address the design requirements and networks necessary to serve  
20 agency needs, which will consist of as a minimum:

21 a. an inventory of communication or telecommunication  
22 equipment owned, leased or rented for use in  
23 communication services for state government, including

1 communication services provided as part of any other  
2 total system to be used by the state or any of its  
3 agencies,  
4 b. current budget plans, expenditures and resources  
5 necessary to operate any and all systems included in  
6 the above inventory,  
7 c. major development projects proposed for the current  
8 fiscal year and the next three (3) fiscal years and  
9 the anticipated results and benefits to be achieved,  
10 and  
11 d. an explanation of revisions to previous plans;  
12 3. Establish minimum ~~mandatory~~ standards and protocols for:  
13 a. communication networks and equipment,  
14 b. wide area and local area systems,  
15 c. integration of equipment, systems and joint usage,  
16 d. operating systems or methods to be used to meet  
17 communications requirements efficiently and  
18 effectively,  
19 e. rendering of aid between state government and its  
20 political subdivisions with respect to organizing of  
21 communications systems, and  
22 f. an economical and cost-effective utilization of  
23 communication services.

1       Such standards and protocols shall be compatible with the  
2 standards and protocols established for the Oklahoma Government  
3 Telecommunications Network created in Section ~~4~~ 41.5m of this ~~act~~  
4 title;

5       4. Serve as a focal point for all statewide projects involving  
6 current communications vendors where the focus of such authority can  
7 substantially enhance the state communications plan or the savings  
8 which can be achieved thereunder;

9       5. Provide, when requested by political subdivisions of the  
10 state, for the organizing of communications or telecommunications  
11 systems and service between the state and its political subdivisions  
12 and enter into agreements to effect the purposes of this section;

13       6. Cooperate with any federal, state or local emergency  
14 management agency in providing for emergency communications and  
15 telecommunication services;

16       7. Apply for, receive, and hold, or assist agencies in applying  
17 for, receiving or holding such authorizations, licenses and  
18 allocations of channels and frequencies to carry out the purposes of  
19 this section;

20       8. Accomplish such other purposes as may be necessary or  
21 incidental to the administration of its authority or functions  
22 pursuant to law; and

1           9. Provide support for telecommunication networks of state  
2 agencies through analysis of each agency's telecommunications needs  
3 and requirements and promotion of the use of the Oklahoma Government  
4 Telecommunications Network created in Section ~~4~~ 41.5m of this ~~act~~  
5 title.

6           SECTION 3.           AMENDATORY           Section 2, Chapter 128, O.S.L.  
7 2004 (62 O.S. Supp. 2004, Section 41.5t), is amended to read as  
8 follows:

9           Section 41.5t A. The Information Services Division of the  
10 Office of State Finance shall work in conjunction with the  
11 Department of Central Services to assure state compliance regarding  
12 accessibility of information technology for individuals with  
13 disabilities based on the provisions of Section 508 of the Workforce  
14 Investment Act of 1998.

15           B. When developing, procuring, maintaining or using information  
16 technology, or when administering contracts or grants that include  
17 the procurement, development, upgrading, or replacement of  
18 information technology each state agency shall ensure, unless an  
19 undue burden would be imposed on the agency, that the information  
20 technology allows employees, program participants, and members of  
21 the general public access to use of information and data that is  
22 comparable to the access by individuals without disabilities.

1 C. To assure accessibility, the Information Services Division  
2 and the Department of Central Services shall:

3 1. Adopt accessibility standards that address all technical  
4 standard categories of Section 508 of the Workforce Investment Act  
5 of 1998 to be used by each state agency in the procurement of  
6 information technology, and in the development and implementation of  
7 custom-designed information technology systems, ~~web~~ Web sites, and  
8 other emerging information technology systems;

9 2. Establish and implement a review procedure to be used to  
10 evaluate the accessibility of custom-designed information technology  
11 systems proposed by a state agency prior to expenditure of state  
12 funds;

13 3. Review and evaluate accessibility of information technology  
14 commonly purchased by state agencies, and provide accessibility  
15 reports on such products to those responsible for purchasing  
16 decisions;

17 4. Provide in partnership with Oklahoma Able Tech, the state  
18 assistive technology project located at Oklahoma State University,  
19 training and technical assistance for state agencies to assure  
20 procurement of information technology that meets adopted  
21 accessibility standards;

22 5. Consult with the Oklahoma Department of Rehabilitation  
23 Services and individuals with disabilities in accessibility reviews

1 of information technology and in the delivery of training and  
2 technical assistance;

3 6. Establish complaint procedures, consistent with Section 508  
4 of the Workforce Development Act of 1998, to be used by an  
5 individual who alleges that a state agency fails to comply with the  
6 provisions of this section;

7 7. Work with and seek advice from the Electronic and  
8 Information Technology Accessibility Advisory Council, created in  
9 Section 4 41.5t.2 of this ~~act~~ title in developing accessibility  
10 standards and complaint procedures as required in this section; and

11 8. Require state agencies to submit evidence of assurance of  
12 compliance with state standards on accessibility of information  
13 technology for individuals with disabilities developed in accordance  
14 with this section. ~~For executive branch state agencies that are~~  
15 ~~required to submit an annual long range plan pursuant to Section~~  
16 ~~41.5e of Title 62 of the Oklahoma Statutes evidence of compliance~~  
17 ~~shall be included in that report.~~

18 D. The Director of State Finance and the Director of the  
19 Department of Central Services shall promulgate rules, as necessary,  
20 to implement the provisions of this section.

21 SECTION 4. This act shall become effective July 1, 2005.

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-6-05 - DO  
23 PASS, As Amended.