

3 Senate Bill No. 1497
4 As Amended

5 SENATE BILL NO. 1497 - By: COFFEE of the Senate and PERRY of the
6 House.

7 [public finance - contract for acquisition of computer
8 software - modifying - effective date]

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

10 SECTION 1. AMENDATORY Section 4, Chapter 391, O.S.L.
11 2005 (62 O.S. Supp. 2005, Section 41.5u), is amended to read as
12 follows:

13 Section 41.5u A. ~~No~~ Any state agency, as defined by Section
14 250.3 of Title 75 of the Oklahoma Statutes, ~~nor~~ or the Purchasing
15 Division of the Department of Central Services, unless otherwise
16 provided by federal law, ~~shall~~ may enter into a contract for the
17 acquisition of customized computer software developed or modified
18 exclusively for the agency or the state, ~~unless the vendor agrees~~
19 and vendors may agree to provide to the agency or the state the
20 ~~source code~~ documentation for the software and/or modifications.

21 B. ~~The State Purchasing Director or the procurement officers of~~
22 ~~the state agencies not subject to the Central Purchasing Act shall~~
23 ~~not process any state agency request for the custom modernization or~~

1 ~~development of computer software unless the proposed vendor provides~~
2 ~~documentation that complies with subsection A of this section.~~

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

6 ~~D.~~ C. As used in this section:

7 1. "State agency" shall include all state agencies, whether
8 subject to the Central Purchasing Act or not, except the Oklahoma
9 Lottery Commission; and

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

14 SECTION 2. This act shall become effective November 1, 2006.

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-15-06 - DO
16 PASS, As Amended and Coauthored.