

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2699

By: Johnson

AS INTRODUCED

An Act relating to public finance; amending Section 4, Chapter 391, O.S.L. 2005 (62 O.S. Supp 2005, Section 41.5u), which relates to contracts for customized computer software; modifying certain contract requirements; providing an effective date; and declaring an emergency.

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

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

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

B. ~~The State Purchasing Director or the procurement officers of the state agencies not subject to the Central Purchasing Act shall not process any state agency request for the custom modernization or development of computer software 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.~~ C. As used in this section:

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

2. ~~"Source code"~~ "Customized computer software" 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, 2006.

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.

50-2-8926

JR

01/18/06