

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2045

By: Sears

6
7 COMMITTEE SUBSTITUTE

8 (technology - Information Services Division -

9 Computer Information Officer - Computer Information

10 Coordinating Board - OneNet - codification -

11 effective date -

12 emergency)

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

17 SECTION 1. AMENDATORY 62 O.S. 2001, Section 41.5a, as
18 last amended by Section 1, Chapter 266, O.S.L. 2006 (62 O.S. Supp.
19 2006, Section 41.5a), is amended to read as follows:

20 Section 41.5a A. The Director of the Information Services
21 Division shall be designated and shall function as the Computer
22 Information Officer for the State of Oklahoma.

23 B. The Information Services Division shall:
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- 1 1. Coordinate information technology planning through analysis
2 of the long-term information technology plans for each agency;
- 3 2. Develop a statewide information technology plan with annual
4 modifications to include, but not be limited to, individual agency
5 plans and information systems plans for the statewide electronic
6 information technology function;
- 7 3. Establish and enforce minimum mandatory standards for:
 - 8 a. information systems planning,
 - 9 b. systems development methodology,
 - 10 c. documentation,
 - 11 d. hardware requirements and compatibility,
 - 12 e. operating systems compatibility,
 - 13 f. software and hardware acquisition,
 - 14 g. information security and internal controls,
 - 15 h. data base compatibility, and
 - 16 i. contingency planning and disaster recovery.

17 The standards shall, upon adoption, be the minimum requirements
18 applicable to all agencies. These standards shall be compatible
19 with the standards established for the Oklahoma Government
20 Telecommunications Network created in Section 41.5m of this title.
21 Individual agency standards may be more specific than statewide
22 requirements but shall in no case be less than the minimum mandatory
23 standards. Where standards required of an individual agency of the
24 state by agencies of the federal government are more strict than the

1 state minimum standards, such federal requirements shall be
2 applicable;

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

5 5. Operate an information technology service center to provide
6 operations and hardware support for agencies requiring such services
7 and for statewide systems;

8 6. Maintain a directory of the following which have a value of
9 Five Hundred Dollars (\$500.00) or more: application systems,
10 systems software, hardware, internal and external information
11 technology, communication or telecommunication equipment owned,
12 leased, or rented for use in communication services for state
13 government, including communication services provided as part of any
14 other total system to be used by the state or any of its agencies,
15 and studies and training courses in use by all agencies of the
16 state; and facilitate the utilization of the resources by any agency
17 having requirements which are found to be available within any
18 agency of the state;

19 7. Assist agencies in the acquisition and utilization of
20 information technology systems and hardware to effectuate the
21 maximum benefit for the provision of services and accomplishment of
22 the duties and responsibilities of agencies of the state;

23 8. Coordinate for the executive branch of state government
24 agency information technology activities, encourage joint projects

1 and common systems, and linking of agency systems through the review
2 of agency plans, development of a statewide plan and its integration
3 with the budget process to ensure that developments or acquisitions
4 are consistent with statewide objectives and that proposed systems
5 are justified and cost effective;

6 9. Develop performance reporting guidelines for information
7 technology facilities and conduct an annual review to compare agency
8 plans and budgets with results and expenditures;

9 10. Establish operations review procedures for information
10 technology installations operated by agencies of the state for
11 independent assessment of productivity, efficiency, cost
12 effectiveness, and security;

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

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

17 13. In conjunction with the Oklahoma Office of Homeland
18 Security, enforce the minimum information security and internal
19 control standards established by the Information Services Division.
20 An enforcement team consisting of the Director of the Information
21 Services Division or a designee, a representative of the Oklahoma
22 Office of Homeland Security, and a representative of the Oklahoma
23 State Bureau of Investigation shall enforce the minimum information
24 security and internal control standards. An agency that is not in

1 compliance with the minimum information security and internal
2 control standards shall be notified. The agency will be required to
3 submit a plan for becoming compliant within a specified time period,
4 based on the severity of the noncompliance. If the agency does not
5 become compliant with the minimum information security and internal
6 control standards within the specified time period, the enforcement
7 team shall institute progressive actions as follows:

- 8 a. if possible, extend the time period for becoming
9 compliant,
- 10 b. work with the agency to mitigate the noncompliance,
- 11 c. notify the agency director, the Governor, the Speaker
12 of the House of Representatives, and the President Pro
13 Tempore of the Senate that the agency will be removed
14 from the infrastructure of the state until the agency
15 becomes compliant,
- 16 d. notify the agency director, the Governor, the Speaker
17 of the House of Representatives, and the President Pro
18 Tempore of the Senate that the enforcement team will
19 take control of the information technology function of
20 the agency until the agency is compliant, and
- 21 e. recommend to the Governor and the Legislature that the
22 administration and management of the information
23 technology function of the agency be transferred to
24 another state agency.

1 ~~B.~~ C. No agency of the executive branch of the state shall use
2 state funds for or enter into any agreement for the acquisition of
3 computer hardware, software or any contract for information
4 technology services and equipment exceeding Twenty-five Thousand
5 Dollars (\$25,000.00) in value without written authorization of the
6 Director of State Finance. The provisions of this subsection shall
7 not be applicable to any member of The Oklahoma State System of
8 Higher Education, any public elementary or secondary schools of the
9 state, or any technology center school district as defined in
10 Section 14-108 of Title 70 of the Oklahoma Statutes.

11 ~~C.~~ D. The Office of State Finance and all agencies of the
12 executive branch of the state shall not be required to disclose,
13 directly or indirectly, any information of a state agency which is
14 declared to be confidential or privileged by state or federal
15 statute or the disclosure of which is restricted by agreement with
16 the United States or one of its agencies, nor disclose information
17 technology system details that may permit the access to confidential
18 information or any information affecting personal security, personal
19 identity, or physical security of state assets.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 41.5a-3 of Title 62, unless
22 there is created a duplication in numbering, reads as follows:

23 A. There is hereby created the Computer Information
24 Coordinating Board. The Board shall be composed of nine (9) members

1 who shall be the computer information officer or director of
2 information services for the following agencies:

- 3 1. Department of Public Safety;
- 4 2. Department of Central Services;
- 5 3. Oklahoma Tax Commission;
- 6 4. Department of Corrections;
- 7 5. State Department of Education;
- 8 6. Department of Transportation;
- 9 7. Oklahoma Health Care Authority;
- 10 8. State Department of Health; and
- 11 9. Department of Human Services.

12 B. The Board shall have the following powers and duties:

- 13 1. Make recommendations to the Director of the Office of State
14 Finance on the appointment of the Computer Information Officer;
- 15 2. Provide for information exchange between state agencies on
16 information technology activities within state government; and
- 17 3. Review and make recommendations on statewide information
18 technology contracts.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 41.5a-4 of Title 62, unless
21 there is created a duplication in numbering, reads as follows:

22 A. The communications and data transfer network known as OneNet
23 is hereby transferred from the Oklahoma State Regents for Higher
24 Education to the Information Services Division of the Office of

1 State Finance. The transfer shall include all real property,
2 buildings, furniture, equipment, supplies, records, personnel,
3 assets, current and future liabilities, fund balances, encumbrances,
4 obligations, indebtedness, powers, duties, and responsibilities
5 associated with OneNet.

6 B. It is the intent of the Legislature that all employees of
7 the Oklahoma State Regents for Higher Education who are assigned to
8 OneNet on the effective date of this act shall be transferred to the
9 Information Services Division of the Office of State Finance with
10 retention of pay and benefits, as much as possible, including
11 longevity, insurance benefits, seniority, rights, and other
12 privileges or benefits, which may be provided through contractual
13 arrangements with the Oklahoma State Regents for Higher Education.

14 SECTION 4. This act shall become effective July 1, 2007.

15 SECTION 5. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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