

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1153

By: Barrington of the Senate

3 and

4 Terrill and Steele of the
5 House

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8 (Oklahoma Office of Homeland Security -

9 communications - Information Services Division of

10 the Office of State Finance - codification -

11 effective date)

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14 AUTHORS: Add the following House Coauthors: Remove Steele as House
15 Coauthor and add Roan and Tibbs as House Coauthors

16 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
17 entire bill and insert

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19 "An Act relating to communications; specifying the
20 duties of the Oklahoma Office of Homeland Security
21 regarding certain communications within the state;
22 providing intent of the Legislature regarding
23 certain communication systems; prohibiting use of
24 state funds under certain circumstances; amending 62
O.S. 2001, Sections 41.5i, as last amended by
Section 5, Chapter 266, O.S.L. 2006 and 41.5j, as
amended by Section 6, Chapter 266, O.S.L. 2006 (62
O.S. Supp. 2008, Sections 41.5i and 41.5j), which
relate to the Information Services Division of the

1 Office of State Finance; modifying certain powers
2 and duties; modifying certain exception; prohibiting
3 the use of state funds by state agencies under
4 certain circumstances; providing method for
5 acquiring, developing, or enhancing certain
6 communication systems; authorizing certain proposal;
7 providing for codification; and providing an
8 effective date.

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

10 SECTION 1. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 51.1a of Title 74, unless there
12 is created a duplication in numbering, reads as follows:

13 A. In addition to the powers and duties as defined elsewhere in
14 statute, the Oklahoma Office of Homeland Security has the duty and
15 responsibility for interoperable public safety communications
16 planning within the State of Oklahoma. As part of this duty the
17 Oklahoma Office of Homeland Security shall:

18 1. Annually develop and report to the Governor, President Pro
19 Tempore of the Senate and Speaker of the House of Representatives,
20 the Statewide Communications Interoperability Plan;

21 2. Coordinate statewide planning for public safety
22 communication needs of state government and state emergency
23 responders, including a migration plan for state agency use of
24 public safety communications technologies and rendering of aid
between state government and its political subdivisions for

1 organizing and use of disparate public safety communications
2 systems;

3 3. Serve as a focal point for all state-level projects
4 involving public safety communications vendors where the focus of
5 such authority can substantially enhance the state communications
6 plan or savings;

7 4. Apply for, receive, and hold, or assist state agencies in
8 applying for, receiving, or holding such authorizations, licenses,
9 and allocations of channels and frequencies to carry out the
10 purposes of this section;

11 5. Establish minimum standards and protocols for acquisition,
12 development, or enhancement of public safety communications
13 technologies. These standards shall be utilized by the Information
14 Services Division of the Office of State Finance pursuant to the
15 provisions of Section 41.5i of Title 62 of the Oklahoma Statutes;
16 and

17 6. Accomplish such other purposes as may be necessary or
18 incidental to the administration of its authority or functions
19 pursuant to law.

20 B. It is the intent of the Legislature that all state public
21 entities comply with the provisions of the Statewide Communications
22 Interoperability Plan issued by the Oklahoma Office of Homeland
23 Security. All state agencies are required to review the provisions
24 of the Statewide Communications Interoperability Plan and the public

1 safety communications standards issued by the Oklahoma Office of
2 Homeland Security prior to the purchase, acquisition, development,
3 or enhancement of any public safety communications system. Local
4 public safety agencies and political subdivisions of the state are
5 encouraged, but not required, to review the provisions of the
6 Statewide Communications Interoperability Plan and the public safety
7 communications standards issued by the Oklahoma Office of Homeland
8 Security prior to the purchase, acquisition, development, or
9 enhancement of any public safety communications system to assist the
10 local public safety agency or political subdivision in purchasing
11 decisions.

12 C. No state agency shall use state funds or enter into any
13 agreement for the acquisition, development, or enhancement of a
14 public safety communication system unless the request is consistent
15 with the Statewide Communications Interoperability Plan and the
16 public safety communications standards issued by the Oklahoma Office
17 of Homeland Security.

18 SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.5i, as
19 last amended by Section 5, Chapter 266, O.S.L. 2006 (62 O.S. Supp.
20 2008, Section 41.5i), is amended to read as follows:

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

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1 1. Coordinate statewide planning for communication and
2 telecommunications needs of state government, including, but not
3 limited to, voice, data, radio, video, Internet, eGovernment, as
4 referenced in Sections 41.5p and 41.5q of this title, and facsimile
5 transmissions through analysis of the telecommunications and
6 information technology plan of each agency;

7 2. ~~Establish~~ In coordination with the Oklahoma Office of
8 Homeland Security, establish minimum mandatory standards and
9 protocols for:

- 10 a. communication networks and equipment,
- 11 b. wide area and local area systems,
- 12 c. integration of equipment, systems and joint usage,
- 13 d. Internet and eGovernment,
- 14 e. operating systems or methods to be used to meet
15 communications requirements efficiently, effectively,
16 and securely,
- 17 f. rendering of aid between state government and its
18 political subdivisions with respect to organizing of
19 communications systems, and
- 20 g. an economical and cost-effective utilization of
21 communication services.

22 The standards and protocols shall be compatible with the
23 standards and protocols established for the Oklahoma Government
24 Telecommunications Network created in Section 41.5m of this title;

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

5 4. Provide, when requested by political subdivisions of the
6 state, for the organizing of communications or telecommunications
7 systems and service between the state and its political subdivisions
8 and enter into agreements to effect the purposes of this section;

9 5. Cooperate with any federal, state or local emergency
10 management agency in providing for emergency communications and
11 telecommunication services;

12 6. Apply for, receive, and hold, or assist agencies in applying
13 for, receiving or holding such authorizations, licenses and
14 allocations of channels and frequencies to carry out the purposes of
15 this section;

16 7. Accomplish such other purposes as may be necessary or
17 incidental to the administration of its authority or functions
18 pursuant to law; and

19 8. Provide support for telecommunication networks of state
20 agencies through analysis of the telecommunications needs and
21 requirements of each agency and promotion of the use of the Oklahoma
22 Government Telecommunications Network created in Section 41.5m of
23 this title.

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1 SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.5j, as
2 amended by Section 6, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008,
3 Section 41.5j), is amended to read as follows:

4 Section 41.5j A. No agency of the executive branch of the
5 state shall use state funds for or enter into any agreement for the
6 acquisition, development or enhancement of a communication or
7 telecommunication system including voice, data, radio, video,
8 Internet, eGovernment, as referenced in Sections 41.5p and 41.5q of
9 this title, and facsimile systems, without written authorization of
10 the Director of State Finance. The Director of State Finance shall
11 verify that any acquisition, development or enhancement is
12 compatible with the operation of the Oklahoma Government
13 Telecommunications Network created in Section 41.5m of this title.

14 B. No agency of the executive branch of the state shall enter
15 into any agreement for the acquisition, development or enhancement
16 of a communication or telecommunication system or service including
17 voice, data, radio, video, Internet, eGovernment, and facsimile
18 systems, unless the cost of such addition, change, improvement or
19 development has been included in the statewide communications plan
20 of the Information Services Division, as said plan may have been
21 amended or revised.

22 C. State agencies may enter into interagency contracts to share
23 communications and telecommunications resources for mutually
24 beneficial purposes. The contract shall clearly state how its

1 purpose contributes to the development or enhancement or cost
2 reduction of a state network which includes voice, data, radio,
3 video, Internet, eGovernment, or facsimile systems. The contract
4 shall be approved by the Information Services Division before any
5 payments are made.

6 D. The provisions of subsections A, B and C of this section
7 shall not apply to the telecommunications network known as OneNet
8 whether said network is governed or operated by the Oklahoma State
9 Regents for Higher Education or any other state entity assigned
10 responsibility for OneNet.

11 E. No state agency shall use state funds or enter into any
12 agreement for the acquisition, development or enhancement of a
13 public safety communication system unless the request is consistent
14 with the Statewide Communications Interoperability Plan and the
15 public safety communications standards issued by the Oklahoma Office
16 of Homeland Security. Agencies interested in acquiring, developing
17 or enhancing a public safety communications system shall submit a
18 proposal to the Oklahoma Office of Homeland Security. The Oklahoma
19 Office of Homeland Security shall issue a proposal review which
20 summarizes whether the proposal is consistent with the Statewide
21 Communications Interoperability Plan and the technology standards
22 issued. The proposal review shall be submitted to the requesting
23 agency and to the Director of State Finance.

24 SECTION 4. This act shall become effective November 1, 2009."

1 Passed the House of Representatives the 16th day of April, 2009.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2009.

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9 Presiding Officer of the Senate
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