

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1153

By: Barrington

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5
6 AS INTRODUCED

7 An Act relating to communications; specifying the
8 duties of the Oklahoma Office of Homeland Security
9 regarding certain communications within the state;
10 providing intent of the Legislature regarding certain
11 communication systems; prohibiting use of state funds
12 under certain circumstances; amending 62 O.S. 2001,
13 Sections 41.5i, as last amended by Section 5, Chapter
14 266, O.S.L. 2006 and 41.5j, as amended by Section 6,
15 Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008,
16 Sections 41.5i and 41.5j), which relate to the
17 Information Services Division of the Office of State
18 Finance; modifying certain powers and duties;
19 modifying certain exception; prohibiting the use of
20 state funds by state agencies under certain
21 circumstances; providing method for acquiring,
22 developing, or enhancing certain communication
23 systems; authorizing certain proposal; providing for
24 codification; and providing an effective date.

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

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

A. In addition to the powers and duties as defined elsewhere in
statute, the Oklahoma Office of Homeland Security has the duty and
responsibility for interoperable public safety communications

1 planning within the State of Oklahoma. As part of this duty the
2 Oklahoma Office of Homeland Security shall:

3 1. Annually develop and report to the Governor, President Pro
4 Tempore of the Senate and Speaker of the House of Representatives,
5 the Statewide Communications Interoperability Plan;

6 2. Coordinate statewide planning for public safety
7 communication needs of state government and emergency responders,
8 including a migration plan for state agency use of public safety
9 communications technologies and rendering of aid between state
10 government and its political subdivisions for organizing and use of
11 disparate public safety communications systems;

12 3. Serve as a focal point for all statewide projects involving
13 public safety communications vendors where the focus of such
14 authority can substantially enhance the state communications plan or
15 savings;

16 4. 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 5. Establish minimum mandatory standards and protocols for
21 acquisition, development, or enhancement of:

22 a. public safety communications networks, infrastructure,
23 and equipment,

24 b. wide area and local area systems, and

1 c. integration of equipment, systems, and joint usage;
2 and

3 6. Accomplish such other purposes as may be necessary or
4 incidental to the administration of its authority or functions
5 pursuant to law.

6 B. It is the intent of the Legislature that all state public
7 entities comply with the provisions of the Oklahoma Statewide
8 Communications Interoperability Plan issued by the Oklahoma Office
9 of Homeland Security. All state agencies and political subdivisions
10 of this state are encouraged to review the provisions of the
11 Statewide Communications Interoperability Plan and the public safety
12 communications standards issued by the Oklahoma Office of Homeland
13 Security prior to the purchase, acquisition, development, or
14 enhancement of any public safety communications system.

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

21 SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.5i, as
22 last amended by Section 5, Chapter 266, O.S.L. 2006 (62 O.S. Supp.
23 2008, Section 41.5i), is amended to read as follows:
24

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

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

10 2. ~~Establish~~ In coordination with the Oklahoma Office of
11 Homeland Security, establish minimum mandatory standards and
12 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. Internet and eGovernment,
- 17 e. operating systems or methods to be used to meet
18 communications requirements efficiently, effectively,
19 and securely,
- 20 f. rendering of aid between state government and its
21 political subdivisions with respect to organizing of
22 communications systems, and
- 23 g. an economical and cost-effective utilization of
24 communication services.

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

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

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

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

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

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

22 8. Provide support for telecommunication networks of state
23 agencies through analysis of the telecommunications needs and
24 requirements of each agency and promotion of the use of the Oklahoma

1 Government Telecommunications Network created in Section 41.5m of
2 this title.

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

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

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

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1 C. State agencies may enter into interagency contracts to share
2 communications and telecommunications resources for mutually
3 beneficial purposes. The contract shall clearly state how its
4 purpose contributes to the development or enhancement or cost
5 reduction of a state network which includes voice, data, radio,
6 video, Internet, eGovernment, or facsimile systems. The contract
7 shall be approved by the Information Services Division before any
8 payments are made.

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

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

1 issued. The proposal review shall be submitted to the requesting
2 agency and to the Director of State Finance.

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

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