STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

SENATE BILL 980 By: Coffee

AS INTRODUCED

An Act relating to state government; creating the Oklahoma Information Services Act; providing short title; creating the Office of Information Services; requiring administration by Chief Information Director; providing for appointment and salary; specifying eligibility requirements; providing for employees and duties of Office; requiring cooperation and assistance from state agencies, officers and employees; requiring certain report and recommendations; transferring Information Services Division of Office of State Finance and providing procedures; stating legislative intent; amending 62 O.S., Sections 41.3, 41.5a and 41.5a-1, as last amended by Sections 1 and 2, Chapter 266, O.S.L. 2006, Section 3, Chapter 148, O.S.L. 2007, 41.5e, as last amended by Section 3, Chapter 266, O.S.L. 2006, 41.5f and 41.5g, as amended by Sections 1 and 2, Chapter 148, O.S.L. 2007, 41.5h, as amended by Section 4, Chapter 266, O.S.L. 2006, 41.5i, as last amended by Section 5, Chapter 266, O.S.L. 2006, 41.5j, 41.5l, 41.5m, 41.5p and 41.5q, as amended by Sections 6, 8, 9, 10 and 11, Chapter 266, O.S.L. 2006, 41.5r, 41.5s, as amended by Section 12, Chapter 266, O.S.L. 2006, Section 4, Chapter 128, O.S.L. 2004, as amended by Section 3, Chapter 391, O.S.L. 2005, Section 2, Chapter 128, O.S.L. 2004, as last amended by Section 1, Chapter 330, O.S.L. 2008, Section 4, Chapter 391, O.S.L. 2005, as amended by Section 1, Chapter 310, O.S.L. 2006, Section 15, Chapter 266, O.S.L. 2006 and Section 1, Chapter 205, O.S.L. 2007 (62 O.S. Supp. 2008, Sections 41.5a, 41.5a-1, 41.5a-3, 41.5e, 41.5f, 41.5g, 41.5h, 41.5i, 41.5j, 41.5l, 41.5m, 41.5p, 41.5q, 41.5s, 41.5t, 41.5t.2, 41.5u, 41.5v and 41.5x), which relate to the Office of State Finance; modifying references to

Information Services Division, Office of State Finance and Director of State Finance; updating statutory references; modifying procedures for acquisition of printers, scanners and copiers; providing for management of state portal system; requiring certain filing with Office of Information Services; prohibiting Office from entering into certain contracts; providing for codification; providing for recodification; repealing Section 5, Chapter 391, O.S.L. 2005 (62 O.S. Supp. 1008, Section 41.5a-2), which relates to the Task Force for the Study of Computer Information Officers; providing an effective date; and declaring an emergency.

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 50 of Title 74, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Information Services Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Office of Information Services. The Office of Information Services shall be operated and administered by a Chief Information Director who shall be appointed by the Governor. The salary of the Chief Information Director shall be comparable with the prevailing salaries for similar private

sector positions. The first Chief Information Director shall be appointed no later than January 1, 2010.

B. Any person appointed to the position of Chief Information Director shall meet the following eligibility requirements:

1. A baccalaureate degree in Computer Information Systems, Information Systems Management, Information Systems or other similar degree;

2. A minimum of seven (7) years of professional experience with responsibilities for management and support of information systems and information technology, or direct management of a major information technology operation;

3. Familiarity with local and wide-area network design, implementation, and operation;

4. Experience with data and voice convergence service offerings;

5. Experience in developing technology budgets;

6. Experience in developing requests for proposals and administering the bid process;

7. Experience managing professional staff, teams, and consultants;

8. Extensive knowledge of telecommunications operations;

9. Ability to manage daily development and operations functions;

10. An effective communicator who is able to build consensus;

11. Ability to analyze and resolve complex issues, both logical and interpersonal;

12. Effective verbal and written communications skills and effective presentation skills, geared toward coordination and education;

13. Ability to negotiate and defuse conflict; and

14. A self-motivator, independent, cooperative, flexible and creative.

C. The Chief Information Director shall be authorized to employ personnel, fix the duties and compensation of the personnel, not otherwise prescribed by law, and otherwise direct the work of the personnel in performing the functions and accomplishing the purposes of the Office of Information Services.

D. The Office of Information Services shall be responsible for the following duties:

1. Formulate and implement the information technology strategy for the state;

2. Oversee the development and operation of a scalable operations infrastructure that supports data and voice communications reliability, integrity, and security;

3. Oversee the applications development process;

4. Oversee the professional development of information technology staff in the state;

5. Evaluate all technology investment choices for the state;

6. Create a plan to ensure alignment of current systems, tools, and processes with the strategic information technology plan for the state;

7. Oversee the maintenance and improvement of the current information technology infrastructure in the state in support of enhanced reliability, user service levels, and security;

8. Develop and manage appropriate policies and procedures to ensure the success of information technology initiatives;

9. Lead the prioritization and management of any software development for the state and state agencies;

10. Build the required technical staff to support the execution of the strategic information technology plan for the state;

11. Design, implement, and evaluate the systems that support end users in the productive use of computer hardware and software;

12. Establish and maintain technology infrastructure standards;

13. Delegate, coordinate, and review all work to ensure quality and efficient operation of the Office of Information Services;

14. Conduct regular meetings to disseminate pertinent information to state agencies and to discuss procedures and policies;

15. Participate in the development and implementation of training programs within state agencies regarding the information technology systems, products and procedures;

16. Provide counseling, performance evaluation, training, motivation, discipline, and assign duties for information technology employees in state agencies;

17. Oversee the purchasing of information technology products and services for the state;

18. Develop an overall infrastructure architecture strategy and associated roadmaps for desktop, network, server, storage, and associated management systems for state agencies;

19. Effectively manage the design, implementation and support of complex, highly available infrastructure to ensure optimal performance, on-time delivery of features, new products, and scalable growth; and

20. Create the budget for the Office of Information Services to be submitted to the Legislature each year.

E. All state agencies of this state and all officers and employees of those agencies are hereby directed to cooperate with and lend assistance to the Chief Information Director and the Office of Information Services.

F. Within six (6) months of appointment, but no later than July 1, 2010, the Chief Information Director shall issue a report of recommendations on the transfer, coordination, and modernization of all the information technology systems of all the state agencies in the state, including recommendations on the reallocation of resources and personnel. The Director shall also include

recommendations on alignment and operation of the communications and data transfer network known as OneNet.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 50.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Information Services Division of the Office of State Finance is hereby transferred from the Office of State Finance to the Office of Information Services. The transfer shall include all real property, buildings, furniture, equipment, supplies, records, personnel, assets, current and future liabilities, fund balances, encumbrances, obligations, indebtedness, powers, duties, and responsibilities associated with the Information Services Division of the Office of State Finance.

B. It is the intent of the Legislature that all employees of the Office of State Finance who are assigned to the Information Services Division on the effective date of this act shall be transferred to the Office of Information Services with retention of pay and benefits, as much as possible, including longevity, insurance benefits, seniority, rights, and other privileges or benefits, which may be provided through contractual arrangements with the Office of State Finance.

SECTION 4. AMENDATORY 62 O.S. 2001, Section 41.3, is amended to read as follows:

Section 41.3 There is hereby created in the Executive Department, the Office of State Finance which shall consist of a Division of the Budget, a Division of Central Accounting and Reporting, ~~an Information Services Division,~~ and an Oklahoma Financial Information System Management Division under the administrative control of the Director of State Finance and directly responsible to ~~him~~ the Director.

The terms "State Budget Director" or "Budget Director" appearing in the Oklahoma Statutes shall mean "Director of State Finance".

The terms "State Budget Office", "Division of the Budget", "Division of Central Accounting and Reporting", ~~"Information Services Division",~~ or "Oklahoma Financial Information System Management Division" appearing in the Oklahoma Statutes shall mean the Office of State Finance or the divisions thereof.

SECTION 5. AMENDATORY 62 O.S. 2001, Section 41.5a, as last amended by Section 1, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5a), is amended to read as follows:

Section 41.5a A. The ~~Information Services Division~~ Office of Information Services shall:

1. Coordinate information technology planning through analysis of the long-term information technology plans for each agency;

2. Develop a statewide information technology plan with annual modifications to include, but not be limited to, individual agency

plans and information systems plans for the statewide electronic information technology function;

3. Establish and enforce minimum mandatory standards for:

a. information systems planning,

b. systems development methodology,

c. documentation,

d. hardware requirements and compatibility,

e. operating systems compatibility,

f. software and hardware acquisition,

g. information security and internal controls,

h. data base compatibility, and

i. contingency planning and disaster recovery.

The standards shall, upon adoption, be the minimum requirements applicable to all agencies. These standards shall be compatible with the standards established for the Oklahoma Government Telecommunications Network created in Section ~~41.5m of this title~~ Section 50.13 of Title 74 of the Oklahoma Statutes. Individual agency standards may be more specific than statewide requirements but shall in no case be less than the minimum mandatory standards. Where standards required of an individual agency of the state by agencies of the federal government are more strict than the state minimum standards, such federal requirements shall be applicable;

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

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

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

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

8. Coordinate for the executive branch of state government agency information technology activities, encourage joint projects and common systems, and linking of agency systems through the review of agency plans, development of a statewide plan and its integration with the budget process to ensure that developments or acquisitions

are consistent with statewide objectives and that proposed systems are justified and cost effective;

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

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

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

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

13. In conjunction with the Oklahoma Office of Homeland Security, enforce the minimum information security and internal control standards established by the ~~Information Services Division~~ Office of Information Services. An enforcement team consisting of the Chief Information Director of the ~~Information Services Division~~ Office of Information Services or a designee, a representative of the Oklahoma Office of Homeland Security, and a representative of the Oklahoma State Bureau of Investigation shall enforce the minimum information security and internal control standards. An agency that is not in compliance with the minimum information security and internal control standards shall be notified. The agency will be

required to submit a plan for becoming compliant within a specified time period, based on the severity of the noncompliance. If the agency does not become compliant with the minimum information security and internal control standards within the specified time period, the enforcement team shall institute progressive actions as follows:

a. if possible, extend the time period for becoming compliant,

b. work with the agency to mitigate the noncompliance,

c. notify the agency director, the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate that the agency will be removed from the infrastructure of the state until the agency becomes compliant,

d. notify the agency director, the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate that the enforcement team will take control of the information technology function of the agency until the agency is compliant, and

e. recommend to the Governor and the Legislature that the administration and management of the information technology function of the agency be transferred to another state agency.

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

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

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

Section 41.5a-1 The ~~Information Services Division~~ Office of Information Services shall, at the end of each month, render a statement of charges to all state agencies to which it has furnished processing services for the direct costs of the Data Service Center of the ~~Division~~ Office. In total, the charges shall not exceed the direct costs of the Data Service Center of the ~~Division~~ Office. Systems analysts and programming services costs shall be recovered directly from the agency for which the service was rendered, as agreed to by that agency, and shall not be prorated to agencies not receiving such services. All amounts so collected shall be deposited in the State Treasury to the credit of the General Revenue Fund.

SECTION 7. AMENDATORY Section 3, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5a-3), is amended to read as follows:

Section 41.5a-3 The ~~Information Services Division of the Office of State Finance~~ Office of Information Services is authorized to:

1. Define the requirements for a facility that can be used by any state agency to:

a. install backup information technology equipment, or

b. install information technology equipment acquired as the result of the primary processing facilities being unavailable for an extended period of time;

2. Enter into a multiyear agreement for a private facility that meets the defined requirements; and

3. Advise state agencies when the facility is available for their use.

SECTION 8. AMENDATORY 62 O.S. 2001, Section 41.5e, as last amended by Section 3, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5e), is amended to read as follows:

Section 41.5e A. No later than July 1 of each year, all agencies of the executive branch of this state presently using or contemplating the use of telecommunications and electronic information technology applications, including, but not limited to, the use of mainframe computers, minicomputers or microcomputers, word processing equipment, office automation systems, Internet, eGovernment, or contracts for information technology services and equipment, shall annually submit to the ~~Information Services Division~~ Office of Information Services a one-year operations plan, which shall include as a minimum:

1. An overview of major projects and objectives;

2. Cost per defined category of hardware, software, services and personnel;

3. An assurance of compliance with state standards on accessibility of information technology for individuals with disabilities developed in accordance with ~~Section 41.5t of this title~~ Section 50.18 of Title 74 of the Oklahoma Statutes; and

4. Such other information as the ~~Information Services Division~~ Office of Information Services may require for analysis and consolidation into a statewide telecommunications and electronic information technology plan.

B. No agency of the executive branch of this state shall enter into any agreement for the acquisition, development, or enhancement of application systems software or for the acquisition of electronic information technology equipment or peripheral devices, including Internet and eGovernment, whether or not connected to such equipment, unless the cost of such acquisition, development, or enhancement has been included in the plan for the agency. The ~~Information Services Division~~ Office of Information Services upon review of an information technology and telecommunication plan for the agency, shall submit in writing to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate its findings and recommendations on all proposed new and expanded programs and expenditures for personnel and the purchase or acquisition of equipment, hardware, software, accessories, or services thereto, including but not limited to leases, rentals or lease-purchase, indicating that the associated cost meet or comply with ~~Section 41.5a of this title~~ Section 50.3 of Title 74 of the Oklahoma Statutes.

C. The provisions of this section shall not apply to the telecommunications network known as OneNet whether said network is

governed or operated by the Oklahoma State Regents for Higher Education or any other state entity assigned responsibility for OneNet.

SECTION 9. AMENDATORY 62 O.S. 2001, Section 41.5f, as amended by Section 1, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5f), is amended to read as follows:

Section 41.5f A. The ~~Office of State Finance~~ Office of Information Services shall:

1. Develop and/or acquire application software, including such modifications as may be required, to implement modern automated systems in the Department of Central Services, the Office of Personnel Management, and the Office of State Finance. Such systems include applications for accounting, budgeting, payroll/personnel, and purchasing;

2. Coordinate the initial implementation of the application systems with the three central service agencies of the state and coordinate the phased implementation of the application systems with all branches of state government;

3. Develop procedures manuals and the related training necessary to implement the application systems;

4. Maintain and enhance, as necessary, the application systems of the Integrated Central Systems; and

5. Ensure the integrity of information in the Integrated Central Systems through data security measures, internal controls, and appropriate data base management.

B. The ~~Director of State Finance~~ Chief Information Director shall make all policy decisions required to implement the Integrated Central Systems in accordance with this section after consultation with other affected agencies.

C. The ~~Director of State Finance~~ Chief Information Director may enter into contracts for services, equipment, software, or supplies needed to carry out the provisions of this section.

SECTION 10. AMENDATORY 62 O.S. 2001, Section 41.5g, as amended by Section 2, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5g), is amended to read as follows:

Section 41.5g The ~~Director of State Finance~~ Chief Information Director shall, by appropriate notification, advise agencies of the state when applications of the Integrated Central Systems are available for their use. Thereafter, each agency of the state shall submit transactions to the ~~Office of State Finance~~ Office of Information Services, the Office of Personnel Management, and the Department of Central Services in the manner and format required to effectuate the utilization of the Integrated Central Systems for all transactions for which an application is available.

Provided that nothing in this section shall be construed as to administratively place agencies currently exempt from any provisions

of the Budget Act of 1947, The Oklahoma Central Purchasing Act, or the Oklahoma Personnel Act under the purview of such provisions.

SECTION 11. AMENDATORY 62 O.S. 2001, Section 41.5h, as amended by Section 4, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5h), is amended to read as follows:

Section 41.5h A. The ~~Information Services Division of the Office of State Finance~~ Office of Information Services is directed, authorized and empowered to establish criteria for and manage the installation, maintenance and administration of a central communication or intercommunication system for and upon behalf of this state. The installation shall fulfill communication or intercommunications requirements of this state and its agencies located in the Capitol and those buildings situated on the Capitol grounds, known as the "Capitol Complex" in Oklahoma City, Oklahoma, and the state-owned building known as the "Tulsa Capitol Building" in Tulsa, Oklahoma.

B. The ~~Division~~ Office shall render a statement of charges at the end of each month to all state agencies to which it has furnished communications services for the direct cost sustained, provided that:

1. A pro rata formula is to be established in writing after giving consideration to the type of service furnished, the number and kinds of instruments used, the cost of operation and special installations required in each such agency in relation to the total

cost of local service. The formula, once determined, is not to be redetermined more often than once every six (6) months nor to be changed after any such redetermination before the expiration of six (6) months; and

2. The ~~Division~~ Office is to be reimbursed by the state or any of its agencies for actual cost incurred for equipment installation or modification or for toll charges for use of telephone, telegraph, teletype, data communications, Internet, eGovernment, as referenced in ~~Sections 41.5p and 41.5q of this title~~ Sections 50.14 and 50.15 of Title 74 of the Oklahoma Statutes, or other form or forms of communication or intercommunication incurred by the state or by any agency.

C. No telephone, teletype, switchboard, line, cable system, data communication system, Internet, eGovernment, or systems of communication or intercommunication are to be installed in any building or buildings owned, rented, leased or otherwise held by this state or its agencies at locations described in subsection A of this section without written order of the ~~Director of State Finance~~ Chief Information Director. Provided, however, that acquisition and installation of such equipment in the Legislature shall be subject to the final approval of the Speaker of the House of Representatives or the President Pro Tempore of the Senate as appropriate.

SECTION 12. AMENDATORY 62 O.S. 2001, Section 41.5i, as last amended by Section 5, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5i), is amended to read as follows:

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

1. Coordinate statewide planning for communication and telecommunications needs of state government, including, but not limited to, voice, data, radio, video, Internet, eGovernment, as referenced in ~~Sections 41.5p and 41.5q of this title~~ Sections 50.14 and 50.15 of Title 74 of the Oklahoma Statutes, and facsimile transmissions through analysis of the telecommunications and information technology plan of each agency;

2. Establish minimum mandatory standards and protocols for:

a. communication networks and equipment,

b. wide area and local area systems,

c. integration of equipment, systems and joint usage,

d. Internet and eGovernment,

e. operating systems or methods to be used to meet communications requirements efficiently, effectively, and securely,

f. rendering of aid between state government and its political subdivisions with respect to organizing of communications systems, and

g. an economical and cost-effective utilization of communication services.

The standards and protocols shall be compatible with the standards and protocols established for the Oklahoma Government Telecommunications Network created in ~~Section 41.5m of this title~~ Section 50.13 of Title 74 of the Oklahoma Statutes;

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

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

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

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

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

8. Provide support for telecommunication networks of state agencies through analysis of the telecommunications needs and requirements of each agency and promotion of the use of the Oklahoma Government Telecommunications Network created in ~~Section 41.5m of this title~~ Section 50.13 of Title 74 of the Oklahoma Statutes.

SECTION 13. AMENDATORY 62 O.S. 2001, Section 41.5j, as amended by Section 6, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5j), is amended to read as follows:

Section 41.5j A. No agency of the executive branch of the state shall use state funds for or enter into any agreement for the acquisition, development or enhancement of a communication or telecommunication system including voice, data, radio, video, Internet, eGovernment, as referenced in ~~Sections 41.5p and 41.5q of this title~~ Sections 50.14 and 50.15 of Title 74 of the Oklahoma Statutes, printers, scanners, copiers, and facsimile systems, without written authorization of the ~~Director of State Finance~~ Chief Information Director. The Director ~~of State Finance~~ shall verify that any acquisition, development or enhancement is compatible with the operation of the Oklahoma Government Telecommunications Network created in ~~Section 41.5m of this title~~ Section 50.13 of Title 74 of the Oklahoma Statutes.

B. No agency of the executive branch of the state shall enter into any agreement for the acquisition, development or enhancement of a communication or telecommunication system or service including

voice, data, radio, video, Internet, eGovernment, printers, scanners, copiers, and facsimile systems, unless the cost of such addition, change, improvement or development has been included in the statewide communications plan of the Office of Information Services ~~Division~~, as said plan may have been amended or revised.

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

D. The provisions of this section shall not apply to the telecommunications network known as OneNet whether said network is governed or operated by the Oklahoma State Regents for Higher Education or any other state entity assigned responsibility for OneNet.

SECTION 14. AMENDATORY 62 O.S. 2001, Section 41.5l, as amended by Section 8, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5l), is amended to read as follows:

Section 41.5l There is hereby created in the State Treasury a revolving fund for the ~~Office of State Finance~~ Office of Information Services to be designated the "Telecommunications Revolving Fund".

The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of appropriations made by the Legislature and reimbursements for providing telecommunications services as defined in ~~Sections 41.5h, 41.5i, 41.5j and 41.5p of this title~~ Sections 50.9, 50.10, 50.11 and 50.14 of Title 74 of the Oklahoma Statutes. All monies accruing to such fund are hereby appropriated and may be budgeted and expended by the ~~Office of State Finance~~ Office of Information Services for the purpose of providing telecommunications, Internet, and eGovernment services, as referenced in ~~Sections 41.5p and 41.5q of this title~~ Sections 50.14 and 50.15 of Title 74 of the Oklahoma Statutes, the construction and maintenance of information technology facilities and services, and other related services. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 15. AMENDATORY 62 O.S. 2001, Section 41.5m, as amended by Section 9, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5m), is amended to read as follows:

Section 41.5m A. There is hereby created a wide area telecommunications network to be known and referred to as the "Oklahoma Government Telecommunications Network (OGTN)". The OGTN shall consist of the telecommunications systems and networks of educational entities and agencies of state government.

B. Notwithstanding the provisions of subsection A of this section:

1. The Oklahoma State Regents for Higher Education may continue to operate, maintain and enhance the State Regents Educational Telecommunications Network. The Oklahoma State Regents for Higher Education shall submit all plans for the enhancement of the State Regents Educational Telecommunications Network to the ~~Office of State Finance~~ Office of Information Services for review and approval within the context of the statewide telecommunications network provided for in subsection C of this section and shall participate with the ~~Office of State Finance~~ Office of Information Services in joint efforts to provide services for the OGTN; and

2. The Department of Public Safety may continue to operate, maintain and enhance the statewide law enforcement data communications network provided for in Section 2-124 of Title 47 of the Oklahoma Statutes. The Department of Public Safety shall submit all plans for the enhancement of the statewide law enforcement data communications network to the ~~Office of State Finance~~ Office of Information Services for review and approval and shall participate with the ~~Office of State Finance~~ Office of Information Services in joint efforts to provide services for the OGTN.

C. The ~~Office of State Finance~~ Office of Information Services shall be responsible for developing, operating and maintaining the OGTN. The purposes of the OGTN shall include the following:

1. Development of a comprehensive, unified statewide telecommunications network to effectively, efficiently, and securely meet the communication needs of educational entities and agencies of state government;

2. Effective and efficient utilization of existing telecommunications systems operated by educational entities and agencies of state government; and

3. Elimination and prevention of unnecessarily duplicative telecommunications systems operated by educational entities and agencies of state government.

D. In developing, operating and maintaining the OGTN, the ~~Office of State Finance~~ Office of Information Services shall:

1. Develop a statewide master plan for meeting the communications needs of educational entities and of agencies of state government. To facilitate the development of a statewide master plan as provided for in this paragraph:

a. the Oklahoma State Regents for Higher Education shall submit a report annually to the ~~Director of State Finance~~ Chief Information Director identifying the telecommunications plans of each member of The Oklahoma State System of Higher Education. For purposes of developing such report, each member shall cooperate with and submit to the State Regents a plan of its telecommunications needs, including, but not

limited to, Internet, eGovernment, as referenced in ~~Sections 41.5p and 41.5q of this title~~ Sections 50.14 and 50.15 of Title 74 of the Oklahoma Statutes, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services,

b. the State Superintendent of Public Instruction shall submit a report annually to the ~~Director of State Finance~~ Chief Information Director identifying the telecommunications plans of the public common school system of the state. For purposes of developing such report, the respective public elementary and secondary schools shall cooperate with and submit to the State Superintendent a plan of their telecommunications needs, including, but not limited to, Internet, eGovernment, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services,

c. the State Director of the Oklahoma Department of Career and Technology Education shall submit a report annually to the ~~Director of State Finance~~ Chief Information Director identifying the

telecommunications plans of technology center school districts. For purposes of developing such report, each technology center school district as defined in Section 14-108 of Title 70 of the Oklahoma Statutes shall cooperate with and submit to the State Director of the Oklahoma Department of Career and Technology Education a plan of its telecommunications needs, including, but not limited to, Internet, eGovernment, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services,

d. the chief administrative officer of each state agency of the executive branch shall submit a plan annually to the ~~Director of State Finance~~ Chief Information Director identifying the telecommunications needs of the state agency, including, but not limited to, Internet, eGovernment, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records, and the use of telecommunications equipment or services, and

e. the Director of the Oklahoma Department of Libraries shall submit a report annually to the ~~Director of State Finance~~ Chief Information Director identifying

the telecommunications plans of public libraries and public library systems. For purposes of developing such report, the chief administrative officer of any public library or public library system not otherwise required to submit a plan of its telecommunications needs pursuant to the provisions of this paragraph shall cooperate with and submit annually to the Director of the Oklahoma Department of Libraries a plan of its telecommunications needs, including, but not limited to, Internet, eGovernment, any interactive video plans, the purchase of informational data bases, software for manipulation of bibliographic records and the use of telecommunications equipment or services. To assure inclusion in the report of the plans of the telecommunications needs of any library that is a part of any member of ~~The~~ the Oklahoma State System of Higher Education, a public elementary or secondary school, or technology center school district, all such plans relating to libraries received by the Oklahoma State Regents for Higher Education, the State Superintendent of Higher Education, and the State Director of the Oklahoma Department of Career and Technology Education shall be submitted to the Director of the Oklahoma Department of Libraries by

the respective recipients thereof as soon as practicable after receipt. The Director of the Oklahoma Department of Libraries shall certify to the ~~Office of State Finance~~ Office of Information Services that such plans are consistent with the plan developed by the Oklahoma Library Technology Network or explain any inconsistencies therewith;

2. Identify the most cost-effective means of meeting the telecommunications needs of educational entities and of agencies of state government;

3. Develop minimum mandatory standards and protocols for equipment, facilities and services of the OGTN;

4. Evaluate the advantages and disadvantages of utilizing equipment, facilities, and services of both private entities and those owned and operated by the state; and

5. Recommend a fee structure to provide for the operation and maintenance of the OGTN.

SECTION 16. AMENDATORY 62 O.S. 2001, Section 41.5p, as amended by Section 10, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5p), is amended to read as follows:

Section 41.5p A. In order to be at the forefront of electronic commerce and provide constituents, agencies and out-of-state users with state-of-the-art electronic commerce and Internet tools, the State of Oklahoma recognizes the need for a state portal system

connecting state agency websites and information systems. The state portal system shall be managed by the Office of Information Services.

B. For purposes of this section and ~~Section 41.5s of this title~~ Section 50.17 of Title 74 of the Oklahoma Statutes, a "portal system" shall mean a system that hosts and connects to a collection of on-line government and public services and serves as the single point of access to state government services, information, and transaction processing with a common enterprise wide user interface allowing navigation among the services.

SECTION 17. AMENDATORY 62 O.S. 2001, Section 41.5q, as amended by Section 11, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5q), is amended to read as follows:

Section 41.5q A. Subject to review and adoption as outlined in ~~Section 41.5s of this title~~ Section 50.17 of Title 74 of the Oklahoma Statutes, a state agency, board, commission, or authority is hereby authorized to charge a convenience fee for any electronic or on-line transaction. A convenience fee shall apply to electronic or on-line transactions only and shall not apply when accessing information provided through state government websites. If a state entity sets a convenience fee for electronic or on-line transactions, the fee shall be reviewed by the State Governmental Internet Applications Review Board as provided for in ~~Section 41.5s of this title~~ Section 50.17 of Title 74 of the Oklahoma Statutes.

Each state entity shall keep a record of how the convenience fee has been determined and shall file the record with the Office of Information Services. A state agency, board, commission, or authority may periodically adjust a convenience fee as needed upon review and adoption as provided for in ~~41.5s of this title~~ Section 50.17 of Title 74 of the Oklahoma Statutes.

B. For purposes of this section, "convenience fee" shall mean any charge that is necessary to process an electronic or on-line transaction with a state agency, board, commission or authority. The fee may be in excess of any fee charged for the service or product being provided by such state entity. This may include reasonable charges for the cost of the electronic or on-line service including recovery of costs incurred in the development and implementation of the service or system, cost of sustaining and upgrading the electronic or on-line service, and future expansion of the electronic or on-line services.

SECTION 18. AMENDATORY 62 O.S. 2001, Section 41.5r, is amended to read as follows:

A. Any state agency, board, commission, or authority which establishes an electronic portal system shall use an open-systems concept for the portal system which has been approved by the ~~Information Service Division of the Office of State Finance~~ Office of Information Services.

B. For purposes of this section, an "open-systems concept" shall mean a system that implements sufficient open specifications for interfaces, services, and supporting formats to enable properly engineered components to be utilized across a wide range of systems with minimal changes, to interoperate with other components on local and remote systems, and to interact with users in a style that facilitates portability. An open-systems concept is characterized by the following:

1. Well-defined, widely used, and nonproprietary interfaces or protocols;

2. Use of standards which are developed and adopted by industry recognized standards-making bodies;

3. A definition of all aspects of system interfaces to facilitate new or additional system capabilities for a wide range of applications; and

4. An explicit provision for expansion or upgrading through the incorporation of additional or higher performance elements with minimal impact on the system.

SECTION 19. AMENDATORY 62 O.S. 2001, Section 41.5s, as amended by Section 12, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5s), is amended to read as follows:

Section 41.5s A. There is hereby established the State Governmental Internet Applications Review Board. The Board shall review and make recommendations to the ~~Office of State Finance~~

Office of Information Services concerning state governmental Internet-based electronic or on-line transactions or applications being provided by state agencies, boards, commissions, or authorities for use by the public.

B. The State Governmental Internet Applications Review Board shall be composed of the following members:

1. The ~~Director of the Office of State Finance~~ Chief Information Director or a designee;

2. Four representatives from different state agencies, boards, commissions, or authorities to be appointed by the Governor;

3. One member who is not a member of the Legislature or a state government employee to be appointed by the Speaker of the House of Representatives; and

4. One member who is not a member of the Legislature or a state government employee to be appointed by the President Pro Tempore of the Senate.

C. Members of the Board shall serve for terms of two (2) years. The Board shall select a chair from among its members.

D. Members of the Board shall not receive compensation for serving on the Board, but shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies or appointing authority in accordance with the State Travel Reimbursement Act.

E. The Board shall have the duty and responsibility of:

1. Reviewing a schedule of convenience fees, as is defined in ~~Section 41.5q of this title~~ Section 50.15 of Title 74 of the Oklahoma Statutes, and all convenience fees and changes in fees charged by state agencies, boards, commissions, or authorities for electronic or on-line transactions, and making recommendations pertaining to convenience fees to the Office of ~~State Finance~~ Information Services prior to its adoption by rule of such fees, changes to fees, or fee schedule; and

2. Monitoring all portal systems and applications for portal systems created by state agencies, boards, commissions, or authorities, reviewing portal systems applications approved or denied by the ~~Information Service Division of the Office of State Finance~~ Office of Information Services, and making recommendations to the Legislature and Governor to encourage greater use of the open-systems concept as is defined in ~~Section 41.5r of this title~~ Section 50.16 of Title 74 of the Oklahoma Statutes.

SECTION 20. AMENDATORY Section 2, Chapter 128, O.S.L. 2004, as amended by Section 3, Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2008, Section 41.5t), is amended to read as follows:

Section 41.5t A. The ~~Information Services Division of the Office of State Finance~~ Office of Information Services shall work in conjunction with the Department of Central Services to assure state compliance regarding accessibility of information technology for

individuals with disabilities based on the provisions of Section 508 of the Workforce Investment Act of 1998.

B. When developing, procuring, maintaining or using information technology, or when administering contracts or grants that include the procurement, development, upgrading, or replacement of information technology each state agency shall ensure, unless an undue burden would be imposed on the agency, that the information technology allows employees, program participants, and members of the general public access to use of information and data that is comparable to the access by individuals without disabilities.

C. To assure accessibility, the ~~Information Services Division~~ Office of Information Services and the Department of Central Services shall:

1. Adopt accessibility standards that address all technical standard categories of Section 508 of the Workforce Investment Act of 1998 to be used by each state agency in the procurement of information technology, and in the development and implementation of custom-designed information technology systems, web sites, and other emerging information technology systems;

2. Establish and implement a review procedure to be used to evaluate the accessibility of custom-designed information technology systems proposed by a state agency prior to expenditure of state funds;

3. Review and evaluate accessibility of information technology commonly purchased by state agencies, and provide accessibility reports on such products to those responsible for purchasing decisions;

4. Provide in partnership with Oklahoma Able Tech, the state assistive technology project located at Oklahoma State University, training and technical assistance for state agencies to assure procurement of information technology that meets adopted accessibility standards;

5. Consult with the Oklahoma Department of Rehabilitation Services and individuals with disabilities in accessibility reviews of information technology and in the delivery of training and technical assistance;

6. Establish complaint procedures, consistent with Section 508 of the Workforce Development Act of 1998, to be used by an individual who alleges that a state agency fails to comply with the provisions of this section;

7. Work with and seek advice from the Electronic and Information Technology Accessibility Advisory Council, created in ~~Section 41.5t.2 of this title~~ Section 50.20 of Title 74 of the Oklahoma Statutes in developing accessibility standards and complaint procedures as required in this section; and

8. Require state agencies to submit evidence of assurance of compliance with state standards on accessibility of information

technology for individuals with disabilities developed in accordance with this section. For executive branch state agencies that are required to submit an annual long-range plan pursuant to ~~Section 41.5c of this title~~ Section 50.6 of Title 74 of the Oklahoma Statutes evidence of compliance shall be included in that report.

D. The ~~Director of State Finance~~ Chief Information Director and the Director of the Department of Central Services shall promulgate rules, as necessary, to implement the provisions of this section.

SECTION 21. AMENDATORY Section 4, Chapter 128, O.S.L. 2004, as last amended by Section 1, Chapter 330, O.S.L. 2008 (62 O.S. Supp. 2008, Section 41.5t.2), is amended to read as follows:

Section 41.5t.2. A. There is hereby created, to continue until July 1, 2010, the Electronic and Information Technology Accessibility Advisory Council. The Advisory Council shall study and make recommendations concerning the accessibility for the disabled to publicly produced and provided electronic and information technology and to provide advice and assistance to the ~~Information Services Division of the Office of State Finance~~ Office of Information Services on the development of accessibility standards and complaint procedures as provided for in ~~Section 41.5t of this title~~ Section 50.18 of Title 74 of the Oklahoma Statutes.

B. The Advisory Council shall be composed of the following members:

1. One member of the House of Representatives, appointed by the Speaker of the House of Representatives;

2. One member of the Senate, appointed by the President Pro Tempore of the Senate;

3. The chair of the Science and Technology Committee of the House of Representatives;

4. The chair of the Aerospace and Technology Committee of the State Senate;

5. The ~~Director of the Office of State Finance~~ Chief Information Director, or a designee;

6. The Director of the Department of Central Services, or a designee;

7. The Director of the Oklahoma Department of Rehabilitation Services, or a designee;

8. The Superintendent of Public Instruction, or a designee;

9. The State Director of the Oklahoma State Department of Career and Technology Education, or a designee;

10. The Director of the Library for the Blind and Physically Handicapped with the Oklahoma Department of Rehabilitation, or a designee;

11. The Director of the Office of Disability Concerns, or a designee;

12. A representative of OneNet, the state telecommunications network within the Oklahoma State Regents for Higher Education;

13. The Project Manager for Oklahoma Able Tech, the state assistive technology project located at Oklahoma State University;

14. A representative of state agency web managers appointed by the Governor from a list submitted by a state agency web manager group;

15. A representative of an association representing education technology administrators appointed by the Speaker of the House of Representatives;

16. A representative of an association of distance learning education professionals appointed by the President Pro Tempore of the Senate;

17. Two representatives of corporations or vendors of information or electronic technology hardware or software who are knowledgeable or have experience in the field of assistive technology appointed by the Governor;

18. A representative of a corporation or vendor specializing in assistive technology appointed by the Governor; and

19. Four representatives who are individuals with a disability, one who is blind or visually impaired, one who is deaf or hard of hearing, one with a mobility disability, and one with a cognitive disability and all of whom are users of information or electronic technology appointed by the Governor.

C. Members who were serving on the Electronic and Information Technology Accessibility Task Force as of July 1, 2004, shall

automatically be appointed to serve on the Electronic and Information Technology Accessibility Advisory Council after July 1, 2004.

D. The Advisory Council shall:

1. Make recommendation on action, including legislative action, needed to ensure that all electronic and information technology produced, procured, or developed by state agencies are accessible to the disabled;

2. Identify disability accessibility standards that are emerging or fully adopted by national standard organizations;

3. Review and make recommendations on disability accessibility initiatives and legislation undertaken in other states; and

4. Provide advice and assistance to the ~~Information Services Division of the Office of State Finance~~ Office of Information Services and the Department of Central Services on the development of accessibility standards and complaint procedures as provided for in ~~Section 41.5t of this title~~ Section 50.18 of Title 74 of the Oklahoma Statutes.

E. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each designate a cochair from among the members of the Advisory Council.

F. A majority of the members of the Advisory Council shall constitute a quorum. A majority of the members present at a meeting may act for the Advisory Council.

G. Meetings of the Advisory Council shall be called by either cochair.

H. Proceedings of all meetings of the Advisory Council shall comply with the provisions of the Oklahoma Open Meeting Act.

I. The Advisory Council may divide into subcommittees in furtherance of its purpose.

J. Staff of the Oklahoma Able Tech, the state assistive technology project located at Oklahoma State University, shall serve as primary staff for the Advisory Council. Appropriate personnel from the Office of State Finance and the Department of Central Services shall also assist with the work of the Advisory Council.

K. The Advisory Council may use the expertise and services of the staffs of the Oklahoma House of Representatives and State Senate and may, as necessary, seek the advice and services of experts in the field as well as other necessary professional and clerical staff.

L. All departments, officers, agencies, and employees of this state shall cooperate with the Advisory Council in fulfilling its duties and responsibilities including, but not limited to, providing any information, records, or reports requested by the Advisory Council.

M. Members of the Advisory Council shall receive no compensation for their service, but shall receive travel reimbursement as follows:

1. Legislative members of the Advisory Council shall be reimbursed for necessary travel expenses incurred in the performance of their duties in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes; and

2. Nonlegislative members of the Advisory Council shall be reimbursed by their appointing authorities or respective agencies for necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

SECTION 22. AMENDATORY Section 4, Chapter 391, O.S.L. 2005, as amended by Section 1, Chapter 310, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5u), is amended to read as follows:

Section 41.5u A. No state agency, as defined by Section 250.3 of Title 75 of the Oklahoma Statutes, ~~nor~~ the Purchasing Division of the Department of Central Services <u>nor the Office of Information Services</u>, unless otherwise provided by federal law, shall enter into a contract for the acquisition of customized computer software developed or modified exclusively for the agency or the state, unless the vendor agrees to place into escrow with an independent third party the source code for the software and/or modifications.

B. The vendor must agree to place the source code for the software and any upgrades supplied to an agency in escrow with a third party acceptable to the agency and to enter into a customary source code escrow agreement which includes a provision that

entitles the agency to receive everything held in escrow upon the occurrence of any of the following:

1. A bona fide material default of the obligations of the vendor under the agreement with the agency;

2. An assignment by the vendor for the benefit of its creditors;

3. A failure by the vendor to pay, or an admission by the vendor of its inability to pay, its debts as they mature;

4. The filing of a petition in bankruptcy by or against the vendor when such petition is not dismissed within sixty (60) days of the filing date;

5. The appointment of a receiver, liquidator or trustee appointed for any substantial part of the vendor's property;

6. The inability or unwillingness of the vendor to provide the maintenance and support services in accordance with the agreement with the agency; or

7. The ceasing of a vendor of maintenance and support of the software.

The fees of any third-party escrow agent subject to this section shall be borne by the vendor.

C. The State Purchasing Director or a procurement officer of a state agency not subject to The Oklahoma Central Purchasing Act shall not process any state agency request for the customization, modernization, or development of computer software unless the

proposed vendor provides documentation that complies with subsections A and B of this section.

D. 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.

E. As used in this section:

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

2. "Source code" 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 23. AMENDATORY Section 15, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5v), is amended to read as follows:

Section 41.5v A. The ~~Office of State Finance~~ Office of Information Services shall create a standard security risk assessment for state agency information technology systems that complies with the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) Information Technology - Code of Practice for Security Management (ISO/IEC 17799).

B. Each state agency that has an information technology system shall annually conduct an information security risk assessment to

identify vulnerabilities associated with the information system. A final report of the information security risk assessment shall be submitted by each state agency to the ~~Office of State Finance~~ Office of Information Services by the first day of December of each year. The final information security risk assessment report shall identify, prioritize, and document information security vulnerabilities for each of the state agencies assessed. Failure to comply with the requirements of this subsection may result in funding being withheld from the agency. State agencies shall use either the standard security risk assessment created by the ~~Office of State Finance~~ Office of Information Services or a third-party risk assessment meeting the ISO/IEC 17799 standards and using the National Institute of Standards and Technology Special Publication 800-30 (NIST SP800-30) process and approved by the ~~Office of State Finance~~ Office of Information Services. The ~~Office of State Finance~~ Office of Information Services shall approve not less than two firms which state agencies may choose from to conduct the information security risk assessment.

C. The ~~Office of State Finance~~ Office of Information Services shall report the results of the state agency assessments required pursuant to this section to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate by the first day of January of each year.

SECTION 24. AMENDATORY Section 1, Chapter 205, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5x), is amended to read as follows:

Section 41.5x The ~~Office of State Finance~~ Office of Information Services is authorized to enter into a multi-year agreement to acquire land, develop, design, construct and furnish facilities necessary for the administration of the state's information technology and telecommunications infrastructure and security. Such action shall not be subject to ~~The~~ the Oklahoma Central Purchasing Act. The area of the facility authorized by this section dedicated for computer-ready space shall not exceed ten percent (10%) of the total square footage of the entire facility, but under no circumstances shall exceed nine thousand (9,000) square feet. The ~~Office of State Finance~~ Office of Information Services is authorized to use existing and future funds from fees, appropriations and federal funds, as necessary, to finance such facilities.

SECTION 25. RECODIFICATION 62 O.S. 2001, Section 41.5a, as last amended by Section 5 of this act, shall be recodified as Section 50.3 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5a-1, as last amended by Section 6 of this act, shall be recodified as Section 50.4 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 148, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5a-3), as amended by Section 7

of this act, shall be recodified as Section 50.5 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5e, as last amended by Section 8 of this act, shall be recodified as Section 50.6 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5f, as last amended by Section 9 of this act, shall be recodified as Section 50.7 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5g, as last amended by Section 10 of this act, shall be recodified as Section 50.8 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5h, as last amended by Section 11 of this act, shall be recodified as Section 50.9 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5i, as last amended by Section 12 of this act, shall be recodified as Section 50.10 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5j, as last amended by Section 13 of this act, shall be recodified as Section 50.11 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5l, as last amended by Section 14 of this act, shall be recodified as Section 50.12 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5m, as last amended by Section

15 of this act, shall be recodified as Section 50.13 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5p, as last amended by Section 16 of this act, shall be recodified as Section 50.14 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5q, as last amended by Section 17 of this act, shall be recodified as Section 50.15 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5r, as amended by Section 18 of this act, shall be recodified as Section 50.16 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. 62 O.S. 2001, Section 41.5s, as last amended by Section 19 of this act, shall be recodified as Section 50.17 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 128, O.S.L. 2004 (62 O.S. Supp. 2008, Section 41.5t), as last amended by Section 20 of this act, shall be recodified as Section 50.18 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 128, O.S.L. 2004, as amended by Section 13, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5t.1), shall be recodified as Section 50.19 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 4, Chapter 128, O.S.L. 2004 (62 O.S. Supp. 2008, Section 41.5t.2), as last amended by Section 21 of this act, shall be recodified as

Section 50.20 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 4, Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2008, Section 41.5u), as last amended by Section 22 of this act, shall be recodified as Section 50.21 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 15, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5v), as amended by Section 23 of this act, shall be recodified as Section 50.22 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 205, O.S.L. 2007 (62 O.S. Supp. 2008, Section 41.5x), as amended by Section 24 of this act, shall be recodified as Section 50.23 of Title 74 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 26. REPEALER Section 5, Chapter 391, O.S.L. 2005 (62 O.S. Supp. 2008, Section 41.5a-2), is hereby repealed.

SECTION 27. This act shall become effective July 1, 2009.

SECTION 28. 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.

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