

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 1086

By: Murphey, Cockroft, Grau,
Kern and Nollan of the
House

4
5 and

Jolley of the Senate

6
7 An Act relating to state government; enacting the
8 Transparency, Accountability and Innovation in
Oklahoma State Government 2.0 Act of 2011; ***
9 modifying terminology; requiring promulgation of
performance metrics and guidelines; defining terms;
10 imposing certain duties on the Chief Information
Officer related to state employee performance
11 information; *** requiring certain reports; imposing
duties on the Department of Central Services with
12 respect to procurement officers; imposing duties on
procurement officers; defining term; *** authorizing
13 receipts in electronic form; imposing limitation with
respect to frequent flyer miles; providing for
14 noncodification; providing for codification;
providing an effective date; and declaring an
15 emergency.

16 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

17
18 "[state government - enacting the Transparency,
Accountability and Innovation in Oklahoma State
19 Government 2.0 Act of 2011 - noncodification -
codification - effective date -
20 emergency]

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

22 SECTION 1. NEW LAW A new section of law not to be
23 codified in the Oklahoma Statutes reads as follows:
24

1 This act shall be known and may be cited as the "Transparency,
2 Accountability and Innovation in Oklahoma State Government 2.0 Act
3 of 2011".

4 SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.21, as
5 last amended by Section 41, Chapter 441, O.S.L. 2009, and as
6 renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.
7 2010, Section 34.64), is amended to read as follows:

8 Section 34.64 A. Except as otherwise provided in the Oklahoma
9 State Finance Act, procedures for paying claims or payrolls shall
10 include the following:

11 1. All miscellaneous claims and payroll claims for the payment
12 of money from the State Treasury, shall be filed with the Director
13 of the Office of State Finance for audit and settlement prior to
14 being filed for payment with the State Treasurer;

15 2. The Director of the Office of State Finance may establish
16 alternative procedures for the settlement of claims whenever such
17 procedures are more advantageous so long as they are consistent with
18 the requirements of state law;

19 3. Such alternative procedures shall be at the discretion of
20 the Director of the Office of State Finance and may include, but are
21 not limited to:

22 a. a procedure to permit consolidated payment to vendors
23 for claims involving more than one agency of the state
24 when audit and settlement of such claims, as

1 hereinafter provided, can in all respects be
2 accomplished,

3 b. procedures based upon valid statistical sampling
4 models for preaudit of claims, against contracts,
5 purchase orders and other commitments before entering
6 such claims against the accounts, and

7 c. policies, procedures and performance criteria for the
8 participation of agencies or departments, not
9 authorized by this section, to engage in an
10 alternative system for the settlement of claims; and

11 4. The Director of the Office of State Finance may use a
12 numeric or alphanumeric designation to cross-reference claims or
13 payrolls to check warrant numbers, transfer entry or optional
14 settlement mode used in the payment thereof.

15 B. After claims or payrolls or both have been properly audited
16 and recorded against the respective contracts, purchase orders,
17 other commitments and accounts, the Division of Central Accounting
18 and Reporting shall certify such claims or payrolls to the State
19 Treasurer for payment.

20 C. It shall be the responsibility of the Division of Central
21 Accounting and Reporting to determine that:

22 1. All material legal requirements concerning the expenditure
23 of monies involved in each claim or payroll have been complied with;
24

1 2. Funds have been properly and legally allotted for the
2 payment of the claim or payroll; and

3 3. A sufficient balance exists for the payment of same.

4 D. The Director of the Office of State Finance or bonded
5 employees in the Division of Central Accounting and Reporting
6 authorized by the Director shall certify to the State Treasurer that
7 the claim or payroll has been approved for payment.

8 E. 1. The Director of the Office of State Finance shall be
9 authorized to establish necessary agency disbursing funds to
10 efficiently accommodate the cash flow requirements of applicable
11 federal regulations, bond indebtedness and other directives deemed
12 appropriate by the Director.

13 2. Agencies operating such disbursing funds are authorized to
14 establish a preaudit and settlement system for claims or payments or
15 both relating to the purposes of the stated directives.

16 3. The State Treasurer shall establish procedures for the state
17 in accordance with Federal Banking and National Automated Clearing
18 House Association standards and agencies shall be required to
19 utilize automated clearing house procedures established by the State
20 Treasurer.

21 4. No individual or entity shall be required to have a bank
22 account unless required by federal law or federal regulation.

23 5. Agencies shall be further required to present these
24 transactions to the Office of State Finance in a summarized format

1 and shall include any accounting information necessary as determined
2 by the Director of the Office of State Finance including, but not
3 limited to, information related to federal law.

4 6. Administrative expenditures shall not be eligible for these
5 procedures.

6 7. The efficiency of the payment system shall be considered
7 when the interest earnings of the state are not diminished.

8 F. The Director of the Office of State Finance shall be
9 authorized to process payments for federal tax withholding without
10 claim forms. The Director shall establish a separate fund for the
11 purpose of accumulating federal income tax withholding from payrolls
12 and remitting same to the United States Treasury.

13 G. 1. The Director of the Office of State Finance shall be
14 authorized to process, without claim forms, interest payments to the
15 U.S. Treasury as required by federal law.

16 2. Agencies are responsible for the accrual of such interest
17 liability of the state and shall provide payment to the Office of
18 State Finance in the amount and method prescribed by the Director of
19 the Office of State Finance.

20 3. Any liability of the U.S. Treasury as determined by federal
21 law shall be deposited in the State Treasury and transferred by the
22 Director of the Office of State Finance to the General Revenue Fund
23 of the state subsequent to final determination and necessary audit
24 resolution.

1 H. Notwithstanding any other provision of law, all payments
2 disbursed from the State Treasury shall be conveyed solely through
3 an electronic payment mechanism. The State Treasurer may provide an
4 exemption from the provision of this subsection, with cause,
5 provided the name of each vendor and the cause for the exemption is
6 published in a report which is featured prominently on the State
7 Treasurer's website.

8 SECTION 3. AMENDATORY 74 O.S. 2001, Section 20, is
9 amended to read as follows:

10 Section 20. A. The Attorney General shall annually publish all
11 of the written opinions which ~~he promulgates~~ are promulgated in
12 connection with the interpretation of the laws of the State of
13 Oklahoma. One copy of the bound volume shall be sent to ~~each member~~
14 ~~of the Legislature,~~ each state officer, the chairman of each board
15 or commission, and the county law library in each county in the
16 state where the same shall be available to the public and ~~fifty~~
17 ~~copies~~ an electronic copy shall be sent to the Publications
18 Clearinghouse of the Oklahoma Department of Libraries ~~for purposes~~
19 ~~of exchange as set out in Title 65 of the Oklahoma Statutes.~~ A copy
20 of each annual volume is to be placed on file in the Secretary of
21 State's Office and shall be available for public inspection.

22 B. The Attorney General is hereby authorized to sell any
23 surplus bound volumes and requested individual copies of opinions to
24 help cover the cost of the publication, postal charges and other

1 necessary expenses and proceeds of such sales shall be deposited
2 into the fund herein established.

3 C. There is hereby created in the State Treasury a revolving
4 fund for the Attorney General, to be designated the Attorney
5 General's Revolving Fund. The fund shall be a continuing fund, not
6 subject to fiscal year limitations, and shall consist of all monies
7 received from the sale of copies of surplus bound volumes and
8 requested individual copies of opinions and such other monies as are
9 provided for by law. Expenditures from said fund shall be made upon
10 warrants issued by the State Treasurer against claims filed as
11 prescribed by law with the Director of the Office of State Finance
12 for approval and payment.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 34.11.3 of Title 62, unless
15 there is created a duplication in numbering, reads as follows:

16 A. There is hereby established the "Oklahoma State Government
17 Open Documents Initiative".

18 B. The Chief Information Officer shall develop and maintain an
19 online web presence at the web address "documents.ok.gov". The site
20 shall allow public access to electronic documents described in this
21 section. The site shall include functionality allowing site
22 visitors to search the documents by term.

23 C. The Chief Information Officer shall promulgate procedures by
24 which each state agency, board, commission, and public trust having

1 the State of Oklahoma as a beneficiary shall submit a searchable
2 electronic version of each publication to the "documents.ok.gov"
3 website. The procedures shall require submission to the site of all
4 publications otherwise required by law to be submitted to either the
5 Publications Clearinghouse of the Department of Libraries, the
6 Governor, the Speaker of the House of Representatives or the Speaker
7 Pro Tempore of the Senate. The procedures shall require the
8 electronic documents to be provided in an indexed format which
9 enables the document to be searched by specific term.

10 D. State agencies, boards, commissions, and public trusts
11 having the State of Oklahoma as a beneficiary shall comply with
12 procedures promulgated pursuant to the terms of this section.

13 SECTION 5. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 34.11.4 of Title 62, unless
15 there is created a duplication in numbering, reads as follows:

16 A. There is hereby established the "Oklahoma State Government
17 Forms One-Stop Initiative".

18 B. The Chief Information Officer shall develop and maintain an
19 online web presence at the web address "forms.ok.gov". The site
20 shall allow public access to forms described in this section. The
21 site shall include functionality allowing site visitors to search
22 the forms by term.

23 C. The Chief Information Officer shall promulgate procedures by
24 which each state agency, board, commission, and public trust having

1 the State of Oklahoma as a beneficiary shall submit a searchable
2 electronic version of each form to the "forms.ok.gov" website. The
3 procedures shall require the forms to be provided in an indexed
4 format which enables the form to be searched by specific term.

5 D. State agencies, boards, commissions, and public trusts
6 having the State of Oklahoma as a beneficiary shall comply with
7 procedures promulgated pursuant to the terms of this section.

8 SECTION 6. AMENDATORY Section 1, Chapter 327, O.S.L.
9 2007, as amended by Section 2, Chapter 475, O.S.L. 2010 (62 O.S.
10 Supp. 2010, Section 46), is amended to read as follows:

11 Section 46. A. This act shall be known and may be cited as the
12 "Taxpayer Transparency Act".

13 B. As used in the Taxpayer Transparency Act:

14 1. "Single website" means a website that allows the public to
15 access information identified in subsection C of this section
16 without any fee or charge to the public for such access;

17 2. "Expenditure of state funds" means the disbursement of state
18 funds, whether appropriated or nonappropriated, excluding:

19 a. the transfer of funds between two state agencies,

20 b. payments of state or federal assistance to an
21 individual,

22 c. child support payments, and

23 d. refunds issued by the Oklahoma Tax Commission
24 resulting from the overpayment of tax;

1 3. "Incentive payments" means payments made under the Oklahoma
2 Quality Jobs Program Act, Saving Quality Jobs Act, Oklahoma Quality
3 Jobs Incentive Leverage Act, Small Employer Quality Jobs Incentive
4 Act, Oklahoma Specialized Quality Investment Act and Oklahoma
5 Quality Investment Act;

6 4. "Tax credit" means a credit pursuant to the Oklahoma Income
7 Tax Act against tax liability which is taken by a taxpayer,
8 excluding credits authorized under paragraphs 1 and 2 of subsection
9 B of Section 2357 and Sections 2357.29 and 2357.43 of Title 68 of
10 the Oklahoma Statutes; and

11 5. "Stimulus funds expenditure" means the disbursement by state
12 agencies of federal funds received pursuant to the federal American
13 Recovery and Reinvestment Act of 2009.

14 C. No later than January 1, 2008, the Office of State Finance
15 shall develop and operate a single website accessible by the public.
16 The website shall include aggregate information on state revenue,
17 expenditures and incentive payments and information on state tax
18 preferences as contained in the tax expenditure report published by
19 the Oklahoma Tax Commission pursuant to subsection E of Section 205
20 of Title 68 of the Oklahoma Statutes. No later than January 1,
21 2009, the website shall include search capabilities.

22 D. As soon as practicable after January 1, 2008, such website
23 shall also include, but not be limited to:

24 1. For the expenditure of state funds or incentive payments:

- a. the name and principal location of the entity and/or recipients of the funds, excluding release of information relating to an individual's place of residence, release of information prohibited by subsection D of Section 24A.7 of Title 51 of the Oklahoma Statutes or by federal law relating to privacy rights,
- b. the amount of state funds expended,
- c. the type of transaction,
- d. the funding or expending agency, and
- e. a descriptive purpose of the funding action or expenditure;

2. For stimulus fund expenditures:

- a. a link to the name and principal location of the entity and/or recipients of the funds regardless of amount,
- b. the amount of stimulus funds expended,
- c. the funding or expending agency, and
- d. a descriptive purpose of the funding action or expenditure; and

3. For each tax credit, information, including but not limited

to:

- a. the name of each taxpayer to which a credit has been granted,

1 b. the amount of such credit, and

2 c. the specific provision under which a credit has been
3 granted.

4 E. The single website provided for in subsection C of this
5 section shall include data on state revenue, expenditures and
6 incentive payments for the fiscal year 2007 and each fiscal year
7 thereafter, on state tax credits for tax year 2007 and each tax year
8 thereafter, and on stimulus fund expenditures for the fiscal year
9 2009 and each fiscal year thereafter. Such data shall be available
10 on the single website no later than one hundred twenty (120) days
11 after the last day of the preceding fiscal year; provided, data on
12 stimulus fund expenditures for the fiscal year 2009 shall be
13 available on the single website within one hundred twenty (120) days
14 after ~~the effective date of this act~~ June 10, 2010.

15 F. The Oklahoma Tax Commission, the Office of the State
16 Treasurer, all institutions of The Oklahoma State System of Higher
17 Education and any other state agency shall provide to the Office of
18 State Finance such information as is necessary to accomplish the
19 purposes of the Taxpayer Transparency Act.

20 G. No later than January 1, 2012, the Office of State Finance
21 shall include as part of the single website all spending data
22 subject to publication by the School District Transparency Act in
23 Title 70 of the Oklahoma Statutes.

1 H. So that the Tax Commission may fulfill its obligations as
2 required by this section, all recipients of tax credits, as that
3 term is defined herein, shall file their reports or returns claiming
4 the tax credits in an electronic format, as may be required by the
5 Tax Commission. The Tax Commission may disallow any claim of a
6 person for a tax credit due to its failure to file a report or
7 return as required under the authority of this subsection.

8 ~~H.~~ I. Nothing in the Taxpayer Transparency Act shall require
9 the disclosure of information which is required to be kept
10 confidential by state or federal law.

11 ~~H.~~ J. The disclosure of information required by this section
12 shall create no liability whatsoever, civil or criminal, to the
13 State of Oklahoma or any member of the Office of State Finance or
14 any employee thereof for disclosure of the information or for any
15 error or omission in the disclosure.

16 ~~H.~~ K. The State Auditor and Inspector shall maintain a website
17 providing public access to the documentation of stimulus funding
18 pursuant to the requirements of this section. The website shall
19 provide a list of all stimulus fund expenditures regardless of
20 amount. The entire list of stimulus fund expenditures and each of
21 the related content requirements as detailed in subsection D of this
22 section shall be available for export in standardized formats
23 including but not limited to eXtensible Markup Language (XML) and
24 Comma Separated Value (CSV) formats. The list of expenditures shall

1 include searchable functionality including but not limited to the
2 ability to search the expenditures by the name of the entity
3 receiving funding, name of entity processing funding and name of
4 entity benefiting from funding.

5 ~~K.~~ L. Information about tax credits subject to disclosure
6 pursuant to this section shall include the identity of all taxpayers
7 or organizations having any part in the chain of custody or claim to
8 the credit or credits at any time during the credit's existence.

9 SECTION 7. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 34.11.5 of Title 62, unless
11 there is created a duplication in numbering, reads as follows:

12 A. There is hereby established the "Oklahoma State Government
13 Geographic Information One-Stop Initiative".

14 B. The State Geographic Information Coordinator shall develop
15 and maintain an online web presence at the web address
16 "maps.ok.gov". The site shall allow public access to geodata
17 described in this section.

18 C. The State Geographic Information Coordinator shall
19 promulgate procedures by which each state agency, board, commission
20 and public trust having the State of Oklahoma as a beneficiary shall
21 submit geodata to the Office of Geographic Information to be
22 published on the "maps.ok.gov" website.

23
24

1 D. For the purposes of this section the term "geodata" shall
2 mean information which can be presented as a component of a
3 geographic or spatial presentation.

4 E. State agencies, boards, commissions and public trusts having
5 the State of Oklahoma as a beneficiary shall comply with procedures
6 promulgated pursuant to the terms of this section.

7 SECTION 8. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 34.11.6 of Title 62, unless
9 there is created a duplication in numbering, reads as follows:

10 A. There is hereby established the "Oklahoma State Government
11 Payroll Processing One-Stop Initiative".

12 B. The Director of the Office of State Finance shall promulgate
13 procedures by which state agencies shall enter into a shared-
14 services arrangement with the Office of State Finance for the
15 provision of payroll processing services.

16 C. State agencies shall comply with procedures promulgated
17 pursuant to the terms of this section.

18 SECTION 9. AMENDATORY Section 4, Chapter 475, O.S.L.
19 2010 (62 O.S. Supp. 2010, Section 34.11.2), is amended to read as
20 follows:

21 Section 34.11.2 A. There is hereby established the Oklahoma
22 State Government 2.0 ~~pilot program~~ initiative.

23 B. The State Governmental Technology Applications Review Board
24 shall consider and ~~may~~ approve a standardized social media policy

1 for use by state agencies, boards, commissions and public trusts
2 having the State of Oklahoma as a beneficiary.

3 C. The board shall establish open technology standards and a
4 schedule by which state agencies, boards, commissions and public
5 trusts having the State of Oklahoma as a beneficiary shall utilize
6 these standards to provide citizens with web-based interactivity to
7 state government services. Whenever possible these standards shall
8 match commonly used standards by other government entities.

9 D. The board shall set a schedule by which state agencies,
10 boards, commissions and public trusts having the State of Oklahoma
11 as a beneficiary shall publish and update convenience information
12 sets which shall be accessible through standardized application
13 programming interfaces and published in standardized formats
14 including but not limited to eXtensible Markup Language (XML) and
15 Comma Separated Value (CSV) formats. The board shall establish
16 application programming interface standards which enable access to
17 convenience information sets. The schedule shall place an emphasis
18 on first making accessible convenience information sets most
19 commonly requested in open records requests. A directory and link
20 to all available convenience information sets shall be prominently
21 featured on the portal system referenced in Section 34.24 of ~~Title~~
22 ~~62 of the Oklahoma Statutes~~ this title and if possible linked to the
23 "data.ok.gov" web portal.

24

1 E. The board may conduct events and contests to provide
2 recognition of software application development provided that the
3 application being recognized utilizes standards established in this
4 section to the benefit of the citizens of Oklahoma.

5 F. The board shall establish an application process through
6 which applicants can request the scheduled implementation of
7 application programming interfaces, creation of open technology
8 standards and publication of convenience information sets pursuant
9 to the provisions of this section. Instructions regarding the
10 application process shall be prominently featured on the portal
11 system referenced in Section 34.24 of ~~Title 62 of the Oklahoma~~
12 ~~Statutes~~ this title.

13 G. State agencies, boards, commissions and public trusts having
14 the State of Oklahoma as a beneficiary shall comply with the
15 policies, schedules and standards established by this section.

16 H. The board shall implement standardized policies by which
17 state agencies may accept terms of service related to liability
18 issues for the usage of social media services, contracts for
19 technology products and technology service contracts provided the
20 liability clause in the terms of service or contract contains
21 standard language including a liability agreement which is
22 considered customary or largely similar to terms of service agreed
23 to or contracts entered into by other government entities and
24 private sector enterprises.

1 I. The board shall promulgate performance metrics and
2 guidelines which shall be used to establish criteria which govern
3 participation in the "State Government Employee Performance
4 Transparency Pilot Program". The board shall set a schedule for the
5 publication of performance information metrics through the
6 "data.ok.gov" website.

7 J. For the purposes of this section, "open technology
8 standards" are widely accepted standards and mechanisms for the web-
9 based connectivity and asynchronous communication between software
10 programs. "Application programming interface" is a standardized
11 interface enabling a standard form of connectivity between
12 convenience information sets and software programs, "performance
13 information metrics" are sets of information which reflect the
14 performance of state employees and state agencies, and "convenience
15 information sets" are sets of information which are subject to
16 public access under the Oklahoma Open Records Act and which do not
17 contain personally identifiable information.

18 SECTION 10. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 34.11.1.1 of Title 62, unless
20 there is created a duplication in numbering, reads as follows:

21 A. The Chief Information Officer shall source and submit to the
22 State Governmental Technology Applications Review Board proposed
23 state employee performance information metrics, convenience
24 information sets and other data streams for possible publication on

1 the "data.ok.gov" website in accordance with guidelines established
2 by Section 34.11.2 of Title 62 of the Oklahoma Statutes.

3 B. The Chief Information Officer shall assist the State
4 Governmental Technology Applications Review Board with developing
5 performance metrics pursuant to the requirements of Section 34.27 of
6 Title 62 of the Oklahoma Statutes.

7 C. The following data sets shall be placed online at the
8 "data.ok.gov" website:

9 1. All state expenditures which shall include but not be
10 limited to the name and address of the recipient of the expenditure,
11 amount of expenditure, entire description of item or service
12 purchased, date of expenditure, agency making expenditure and
13 account from which the expenditure is made;

14 2. A detailed listing of all state revolving funds and the
15 amount contained in each fund to be updated on a monthly basis; and

16 3. All spending data subject to publication by the School
17 District Transparency Act.

18 SECTION 11. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 34.11.7 of Title 62, unless
20 there is created a duplication in numbering, reads as follows:

21 A. The State Governmental Technology Applications Review Board
22 shall establish performance reporting metrics for each state
23 employee who begins participating in telework following the
24

1 effective date of this act. These reports shall be published
2 through the "data.ok.gov" website.

3 B. Prior to the lease, purchase, rental or issuance of bonds
4 for the use of additional office space, state agencies shall receive
5 certification from the State Governmental Technology Applications
6 Review Board that no state employee jobs in that agency can be
7 performed through telework.

8 C. The Oklahoma Healthcare Authority shall authorize one
9 division of employees to participate in a telework pilot program
10 pursuant to the terms of this section.

11 D. For the purposes of this section, "performance reporting
12 metrics" shall mean a set of criteria which demonstrates the
13 quantity and quality of work. "Telework" shall mean work which is
14 performed outside of the traditional on-site work environment.

15 SECTION 12. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 34.11.8 of Title 62, unless
17 there is created a duplication in numbering, reads as follows:

18 A. There is hereby established the "Oklahoma State Government
19 IT Project Monitoring and Transparency Initiative".

20 B. The Chief Information Officer shall develop and maintain an
21 online web presence at the web address "projects.ok.gov". The site
22 shall allow the public to monitor the status of every information
23 technology project resulting in expenditure in excess of One Hundred
24 Thousand Dollars (\$100,000.00).

1 C. A report of each project subject to the terms of this
2 initiative shall be updated regularly and provide the public with
3 updates as to the status of the project's estimated completion time,
4 deliverables and cost. Projects shall be judged against clear
5 metrics which shall be articulated on the website prior to the
6 commencement of each project.

7 SECTION 13. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 85.7e of Title 74, unless there
9 is created a duplication in numbering, reads as follows:

10 A. The Department of Central Services or its successor agency
11 shall utilize a wiki venue to provide for the public two-way
12 communication between procurement officers and potential vendors who
13 have questions regarding a request for proposal or invitation to
14 bid. The Department shall provide editing access to all interested
15 potential bidders and viewing access to all members of the public.

16 B. The Department of Central Services or its successor agency
17 shall provide agency-level procurement officers with a wiki platform
18 for reporting the availability of items for purchase at a cost which
19 is less than comparable products on a mandatory statewide purchase
20 contract. The Department shall provide wiki editing access to all
21 state agency procurement officers and viewing access to all members
22 of the public.

23 C. State agency procurement officers shall utilize the wiki
24 described in subsection B of this section to report all findings of

1 products which can be purchased for less than comparable products
2 which are on a mandatory statewide purchasing schedule.

3 D. For the purposes of this section, the term "wiki" shall mean
4 a collaborative website which can be directly edited by anyone with
5 editing access and viewed by all members of the public.

6 E. Access to the wikis described in this section shall be
7 featured prominently on the Department's website.

8 SECTION 14. AMENDATORY 74 O.S. 2001, Section 500.2, as
9 last amended by Section 1, Chapter 76, O.S.L. 2009 (74 O.S. Supp.
10 2010, Section 500.2), is amended to read as follows:

11 Section 500.2. A. Officials and employees of the state,
12 traveling on authorized state business, may be reimbursed for
13 expenses incurred in such travel in accordance with the provisions
14 of the State Travel Reimbursement Act and existing statutes relating
15 to state travel. Persons who are not state employees, but who are
16 performing substantial and necessary services to the state which
17 have been directed or approved by the appropriate department
18 official shall enjoy the protection of the sovereign immunity of the
19 state to the same extent as a paid employee. Such persons may be
20 reimbursed for expenses incurred during authorized official travel
21 under these same statutory provisions, provided it is indicated on
22 the claim the person is not a state employee, a description of
23 services performed is entered, and the agency head by approval of
24 the claim certifies such services were substantial and necessary,

1 and germane to the duties and functions of the reimbursing agency.
2 Travel expenses incurred by a person during the course of seeking
3 employment with a state agency, unless such travel is performed at
4 the request of the employing agency, shall not be considered
5 expenses incurred in performing substantial and necessary services
6 to the state and shall not be reimbursed under the provisions of the
7 State Travel Reimbursement Act.

8 B. The chief administrative officer of the Department of Public
9 Safety, the Oklahoma State Bureau of Investigation, the Oklahoma
10 State Bureau of Narcotics and Dangerous Drugs Control, the Military
11 Department of the State of Oklahoma, the Department of Corrections,
12 the Department of Central Services, the Alcoholic Beverage Laws
13 Enforcement Commission, the Oklahoma Department of Agriculture,
14 Food, and Forestry, the Oklahoma Department of Emergency Management,
15 the State Fire Marshal, and the State Department of Health may
16 arrange for and charge meals and lodging for a contingent of state
17 personnel moved into an area for the purpose of preserving the
18 public health, safety, or welfare or for the protection of life or
19 property. The cost for meals or lodging so charged shall not exceed
20 the amount authorized in the State Travel Reimbursement Act. The
21 chief administrative officer of each agency involved in such an
22 operation shall require the vendor furnishing meals, lodging, or
23 both meals and lodging to submit an itemized statement for payment.
24 When a claim for lodging is made for a contingent of state

1 personnel, individual members of the contingent may not submit a
2 claim for lodging. When a claim for meals is made for a contingent
3 of state personnel, individual members of the contingent may not
4 submit a claim for meals.

5 C. The Oklahoma Department of Commerce, the Oklahoma Center for
6 the Advancement of Science and Technology, and the Oklahoma
7 Department of Agriculture, Food, and Forestry are hereby authorized
8 to enter into contracts and agreements for the payment of food,
9 lodging, meeting facility and beverage expenses as may be necessary
10 for sponsoring seminars and receptions relating to economic
11 development and science and technology issues. Such expenses may be
12 paid directly to the contracting agency or business establishment.
13 The Director of the Oklahoma Department of Commerce, the President
14 of the Oklahoma Center for the Advancement of Science and
15 Technology, and the Commissioner of Agriculture shall each provide a
16 quarterly report of such expenditures to the Governor, the Speaker
17 of the House of Representatives and the President Pro Tempore of the
18 Senate.

19 D. The Native American Cultural and Educational Authority is
20 hereby authorized to enter into contracts and agreements for the
21 payment of food, lodging, and meeting facility as may be necessary
22 to pursue the promotion of fund-raising, marketing, and development
23 of Native American educational programs and cultural projects, or to
24 sponsor luncheons, seminars, and receptions relating to Native

1 American educational, cultural, museum, and economic development
2 issues. Such expenses may be paid directly to the contracting
3 agency or business establishment. The Executive Director shall
4 provide a monthly report of expenditures to the Board.

5 E. For purposes of this section:

6 1. "State agency" means any constitutionally or statutorily
7 created state board, commission, or department, including the
8 Legislature and the Courts;

9 2. State agencies are authorized to enter into contracts and
10 agreements for the payment of food and lodging expenses as may be
11 necessary for employees or other persons who are performing
12 substantial and necessary services to the state by attending
13 official conferences, meetings, seminars, workshops, or training
14 sessions or in the performance of their duties. Such expenses may
15 be paid directly to the contracting agency or business
16 establishment, provided the meeting qualifies for overnight travel
17 for the employees and the cost for food and lodging for each
18 employee shall not exceed the total daily rate as provided in the
19 State Travel Reimbursement Act;

20 3. State agencies are authorized to enter into contracts and
21 agreements for the payment of conference registration expenses as
22 may be necessary for employees or other persons who are performing
23 substantial and necessary services to the state by attending
24 official conferences, meetings, seminars, workshops, or training

1 sessions. Such expenses may be paid directly to the contracting
2 agency or business establishment; and

3 4. State agencies are authorized to enter into contracts and
4 agreements for the payment of food and lodging expenses as may be
5 necessary for employees attending an official course of instruction
6 or training conducted or sponsored by any state agency. Expenses
7 may be paid directly to the contracting agency or business
8 establishment. The cost for food and lodging for each employee
9 shall not exceed the total daily rate as provided in the State
10 Travel Reimbursement Act.

11 F. State agencies are authorized to make direct purchases of
12 commercial airline tickets for use by employees in approved out-of-
13 state travel. Each claim or invoice submitted to the Director of
14 State Finance for the payment of the purchase shall bear the airline
15 identifying ticket number, the name of the airline, total cost of
16 each ticket purchased, class of accommodation, social security
17 number, and name of the employee for whom the ticket was purchased,
18 and shall be filed on claim forms as prescribed by the Director of
19 State Finance. The employee shall sign an affidavit stating that
20 the employee did use any direct purchase commercial airline ticket
21 received for his or her approved out-of-state travel.

22 G. 1. The Administrator of the Office of Personnel Management
23 is hereby authorized to enter into contracts and agreements for the
24 payment of food, lodging, and other authorized expenses as may be

1 necessary to host, conduct, sponsor, or participate in conferences,
2 meetings, or training sessions. The Administrator may establish
3 accounts as necessary for the collection and distribution of funds,
4 including funds of sponsors and registration fees, related to such
5 conferences, meetings, and training sessions. Expenses incurred may
6 be paid directly to the contracting agency or business
7 establishment.

8 2. The cost of food for persons attending any conferences,
9 meetings, and training sessions that do not require overnight travel
10 shall not exceed the total daily rate as provided in the State
11 Travel Reimbursement Act.

12 H. 1. The Commissioner of the Department of Mental Health and
13 Substance Abuse Services is hereby authorized to enter into
14 contracts and agreements for the payment of food, lodging, and other
15 authorized expenses as may be necessary to host, conduct, sponsor,
16 or participate in conferences, meetings, or training sessions. The
17 Commissioner may establish accounts as necessary for the collection
18 and distribution of funds, including funds of sponsors and
19 registration fees, related to such conferences, meetings, and
20 training sessions. Any expenses incurred may be paid directly to
21 the contracting agency or business establishment.

22 2. The cost of food for persons attending any conferences,
23 meetings, and training sessions that do not require overnight travel
24

1 shall not exceed the total daily rate as provided in the State
2 Travel Reimbursement Act.

3 I. The Oklahoma Indigent Defense System is hereby authorized to
4 enter into contracts and agreements for the payment of lodging as
5 necessary for employees to carry out their duties in representing
6 any client whom the System has been properly appointed to represent.
7 Such expenses may be paid directly to the contracting agency or
8 business establishment. The cost for lodging for each employee
9 shall not exceed the daily rate as provided in the State Travel
10 Reimbursement Act.

11 J. The Oklahoma Tourism and Recreation Department is hereby
12 authorized to enter into contracts and agreements for the payment of
13 food, lodging, and meeting facility and beverage expenses as may be
14 necessary for seminars and receptions relating to familiarization
15 tours and tourism development. The expenses may be paid directly to
16 the contracting agency or business establishment. The Executive
17 Director of Oklahoma Tourism and Recreation Department shall provide
18 a monthly report of any such expenditures to the Oklahoma Tourism
19 and Recreation Commission.

20 K. The Oklahoma Tourism and Recreation Department is hereby
21 authorized to enter into contracts and agreements for the payment of
22 exhibitor fees and display space charges at expositions to promote
23 the Department's recreational facilities and the tourism and
24 recreation industry. The expenses may be paid directly to the

1 contracting agency or business establishment; provided that no
2 payment shall be made prior to the event unless it conveys a
3 property right to the state for future availability and use.

4 L. 1. The Oklahoma Highway Safety Office of the Department of
5 Public Safety is hereby authorized to enter into contracts and
6 agreements for the payment of food, lodging, and other authorized
7 expenses as may be necessary, to host, conduct, sponsor, or
8 participate in highway-safety-related conferences, workshops,
9 seminars, meetings, or training sessions. The payments shall be for
10 all persons in attendance, including, but not limited to, employees
11 of political subdivisions or employees of the state or federal
12 government. For purposes specified in this paragraph, only federal
13 highway safety funds may be used in accordance with federal
14 guidelines and regulations, and no appropriated state funds shall be
15 used.

16 2. The cost of food for persons attending any highway safety
17 conferences, workshops, seminars, meetings, and training sessions
18 that do not require overnight travel shall not exceed the total
19 daily rate as provided in the State Travel Reimbursement Act.

20 M. 1. The Director of the Oklahoma State Bureau of
21 Investigation is hereby authorized to enter into contracts and
22 agreements for the payment of food, lodging and other authorized
23 expenses as may be necessary to host, conduct, sponsor or
24 participate in any conference, meeting, training session or

1 initiative to promote the mission and purposes of the Bureau. The
2 payments may be for all persons in attendance, including, but not
3 limited to, employees of political subdivisions or employees of the
4 state or federal government.

5 2. The cost of food for persons that do not require overnight
6 travel shall not exceed the total daily rate as provided in the
7 State Travel Reimbursement Act.

8 N. The Oklahoma Homeland Security Director is hereby authorized
9 to enter into contracts and agreements for the payment of food,
10 lodging and other authorized expenses as may be necessary to host,
11 conduct, sponsor, or participate in homeland security related
12 conferences, meetings, workshops, seminars, exercises or training
13 sessions. The expenses may be paid directly to the contracting
14 agency or business establishment.

15 O. 1. The Insurance Commissioner of the Insurance Department
16 of the State of Oklahoma is hereby authorized to enter into
17 contracts and agreements for the payment of food, lodging, and other
18 authorized expenses as may be necessary to host, conduct, sponsor,
19 or participate in conferences, meetings, or training sessions. The
20 Commissioner may establish accounts as necessary for the collection
21 and distribution of funds, including funds of sponsors and
22 registration fees, related to such conferences, meetings, and
23 training sessions. Any expenses incurred may be paid directly to
24 the contracting agency or business establishment.

1 2. The cost of food for persons attending any conferences,
2 meetings, and training sessions that do not require overnight travel
3 shall not exceed the total daily rate as provided in the State
4 Travel Reimbursement Act.

5 P. 1. The State Regents for Higher Education is hereby
6 authorized to enter into contracts and agreements for the payment of
7 food, lodging, and other authorized expenses as may be necessary to
8 host, conduct, sponsor, or participate in conferences, meetings, or
9 training sessions. The State Regents for Higher Education may
10 establish accounts as necessary for the collection and distribution
11 of funds, including funds of sponsors and registration fees, related
12 to such conferences, meetings, and training sessions. Any expenses
13 incurred may be paid directly to the contracting agency or business
14 establishment.

15 2. The cost of food for persons attending any conferences,
16 meetings, and training sessions that do not require overnight travel
17 shall not exceed the total daily rate as provided in the State
18 Travel Reimbursement Act.

19 Q. 1. The Superintendent of Public Instruction of the State
20 Department of Education is hereby authorized to enter into contracts
21 and agreements for the payment of food, lodging, and other
22 authorized expenses as may be necessary to host, conduct, sponsor,
23 or participate in conferences, meetings, or training sessions. The
24 Superintendent may establish accounts as necessary for the

1 collection and distribution of funds, including funds of sponsors
2 and registration fees, related to such conferences, meetings, and
3 training sessions. Any expenses incurred may be paid directly to
4 the contracting agency or business establishment.

5 2. The cost of food for persons attending any conferences,
6 meetings, and training sessions that do not require overnight travel
7 shall not exceed the total daily rate as provided in the State
8 Travel Reimbursement Act.

9 SECTION 15. AMENDATORY 74 O.S. 2001, Section 500.13, is
10 amended to read as follows:

11 Section 500.13 No reimbursement for registration fees for
12 attendance at meetings, workshops or conferences shall be made,
13 except upon written or electronic receipt for such expenditures.

14 SECTION 16. AMENDATORY 74 O.S. 2001, Section 500.15, is
15 amended to read as follows:

16 Section 500.15 All claims for reimbursement of travel expenses
17 shall be submitted on the regular authorized form of travel expense
18 claim, and shall be signed by the official or employee performing
19 the travel, and approved by the official or employee designated in
20 62 O.S. 1971, Section 41.26, for the agency in which the employee
21 works. Receipts may be provided to the Office of State Finance in
22 electronic form. No travel claim shall be awarded if the filer of
23 the claim has benefited from the personal receipt of frequent travel
24

1 miles unless those miles are used to offset future claims against
2 the state.

3 SECTION 17. This act shall become effective July 1, 2011.

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

8 and when the title is restored, amend the
9 title to conform

10 Passed the Senate the 26th day of April, 2011.

11
12 _____
13 Presiding Officer of the Senate

14 Passed the House of Representatives the ____ day of _____,
15 2011.

16
17 _____
18 Presiding Officer of the House
19 of Representatives

20
21
22
23
24

1 ENGROSSED HOUSE
2 BILL NO. 1086

By: Murphey, Cockroft, Grau,
Kern and Nollan of the
House

3
4 and

Jolley of the Senate

5
6
7
8 An Act relating to state government; enacting the
9 Transparency, Accountability and Innovation in
10 Oklahoma State Government 2.0 Act of 2011; amending
11 62 O.S. 2001, Section 41.21, as last amended by
12 Section 41, Chapter 441, O.S.L. 2009, and as
13 renumbered by Section 64, Chapter 441, O.S.L. 2009
14 (62 O.S. Supp. 2010, Section 34.64), which relates to
15 payment of claims and payrolls; requiring
16 disbursement through electronic payments mechanism;
17 amending 74 O.S. 2001, Section 20, which relates to
18 opinions of the Attorney General; modifying
19 distribution requirements; establishing the Oklahoma
20 State Government Open Documents Initiative; imposing
21 duties on the Chief Information Officer; requiring
22 promulgation of procedures; requiring searchable
23 electronic versions; establishing the Oklahoma State
24 Government Forms One-Stop Initiative; imposing duties
on the Chief Information Officer; requiring
promulgation of procedures; amending Section 1,
Chapter 327, O.S.L. 2007, as amended by Section 2,
Chapter 475, O.S.L. 2010 (62 O.S. Supp. 2010, Section
46), which relates to the Taxpayer Transparency Act;
requiring Office of State Finance to include certain
information from the School District Transparency Act
in single website; establishing the Oklahoma State
Government Geographic Information One-Stop
Initiative; imposing duties on the State Geographic
Information Coordinator; requiring promulgation of
procedures; defining term; establishing the Oklahoma
State Government Payroll Processing One-Stop
Initiative; imposing duties on the Chief Information
Officer; requiring promulgation of procedures;
amending Section 4, Chapter 475, O.S.L. 2010 (62 O.S.

1 Supp. 2010, Section 34.11.2), which relates to the
2 Oklahoma State Government 2.0 pilot program;
3 modifying terminology; requiring promulgation of
4 performance metrics and guidelines; defining terms;
5 imposing certain duties on the Chief Information
6 Officer related to state employee performance
7 information; requiring certain data sets to be
8 available on line; imposing duties on the State
9 Governmental Technology Applications Review Board;
10 imposing conditions related to lease, purchase,
11 rental or use of certain proceeds for additional
12 office space for state agencies; imposing duty upon
13 the Oklahoma Health Care Authority; defining term;
14 establishing the Oklahoma State Government IT Project
15 Monitoring and Transparency Initiative; imposing
16 duties on the Chief Information Officer; requiring
17 certain reports; imposing duties on the Department of
18 Central Services with respect to procurement
19 officers; imposing duties on procurement officers;
20 defining term; amending 74 O.S. 2001, Section 500.13,
21 which relates to registration fees; providing for
22 electronic receipt of expenditures; amending 74 O.S.
23 2001, Section 500.15, which relates to claims for
24 travel reimbursement; authorizing receipts in
electronic form; imposing limitation with respect to
frequent flyer miles; providing for noncodification;
providing for codification; providing an effective
date; and declaring an emergency.

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

18 SECTION 19. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 This act shall be known and may be cited as the "Transparency,
21 Accountability and Innovation in Oklahoma State Government 2.0 Act
22 of 2011".

23 SECTION 20. AMENDATORY 62 O.S. 2001, Section 41.21, as
24 last amended by Section 41, Chapter 441, O.S.L. 2009, and as

1 renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp.
2 2010, Section 34.64), is amended to read as follows:

3 Section 34.64 A. Except as otherwise provided in the Oklahoma
4 State Finance Act, procedures for paying claims or payrolls shall
5 include the following:

6 1. All miscellaneous claims and payroll claims for the payment
7 of money from the State Treasury, shall be filed with the Director
8 of the Office of State Finance for audit and settlement prior to
9 being filed for payment with the State Treasurer;

10 2. The Director of the Office of State Finance may establish
11 alternative procedures for the settlement of claims whenever such
12 procedures are more advantageous so long as they are consistent with
13 the requirements of state law;

14 3. Such alternative procedures shall be at the discretion of
15 the Director of the Office of State Finance and may include, but are
16 not limited to:

17 a. a procedure to permit consolidated payment to vendors
18 for claims involving more than one agency of the state
19 when audit and settlement of such claims, as
20 hereinafter provided, can in all respects be
21 accomplished,

22 b. procedures based upon valid statistical sampling
23 models for preaudit of claims, against contracts,
24

1 purchase orders and other commitments before entering
2 such claims against the accounts, and

3 c. policies, procedures and performance criteria for the
4 participation of agencies or departments, not
5 authorized by this section, to engage in an
6 alternative system for the settlement of claims; and

7 4. The Director of the Office of State Finance may use a
8 numeric or alphanumeric designation to cross-reference claims or
9 payrolls to check warrant numbers, transfer entry or optional
10 settlement mode used in the payment thereof.

11 B. After claims or payrolls or both have been properly audited
12 and recorded against the respective contracts, purchase orders,
13 other commitments and accounts, the Division of Central Accounting
14 and Reporting shall certify such claims or payrolls to the State
15 Treasurer for payment.

16 C. It shall be the responsibility of the Division of Central
17 Accounting and Reporting to determine that:

18 1. All material legal requirements concerning the expenditure
19 of monies involved in each claim or payroll have been complied with;

20 2. Funds have been properly and legally allotted for the
21 payment of the claim or payroll; and

22 3. A sufficient balance exists for the payment of same.

23 D. The Director of the Office of State Finance or bonded
24 employees in the Division of Central Accounting and Reporting

1 authorized by the Director shall certify to the State Treasurer that
2 the claim or payroll has been approved for payment.

3 E. 1. The Director of the Office of State Finance shall be
4 authorized to establish necessary agency disbursing funds to
5 efficiently accommodate the cash flow requirements of applicable
6 federal regulations, bond indebtedness and other directives deemed
7 appropriate by the Director.

8 2. Agencies operating such disbursing funds are authorized to
9 establish a preaudit and settlement system for claims or payments or
10 both relating to the purposes of the stated directives.

11 3. The State Treasurer shall establish procedures for the state
12 in accordance with Federal Banking and National Automated Clearing
13 House Association standards and agencies shall be required to
14 utilize automated clearing house procedures established by the State
15 Treasurer.

16 4. No individual or entity shall be required to have a bank
17 account unless required by federal law or federal regulation.

18 5. Agencies shall be further required to present these
19 transactions to the Office of State Finance in a summarized format
20 and shall include any accounting information necessary as determined
21 by the Director of the Office of State Finance including, but not
22 limited to, information related to federal law.

23 6. Administrative expenditures shall not be eligible for these
24 procedures.

1 7. The efficiency of the payment system shall be considered
2 when the interest earnings of the state are not diminished.

3 F. The Director of the Office of State Finance shall be
4 authorized to process payments for federal tax withholding without
5 claim forms. The Director shall establish a separate fund for the
6 purpose of accumulating federal income tax withholding from payrolls
7 and remitting same to the United States Treasury.

8 G. 1. The Director of the Office of State Finance shall be
9 authorized to process, without claim forms, interest payments to the
10 U.S. Treasury as required by federal law.

11 2. Agencies are responsible for the accrual of such interest
12 liability of the state and shall provide payment to the Office of
13 State Finance in the amount and method prescribed by the Director of
14 the Office of State Finance.

15 3. Any liability of the U.S. Treasury as determined by federal
16 law shall be deposited in the State Treasury and transferred by the
17 Director of the Office of State Finance to the General Revenue Fund
18 of the state subsequent to final determination and necessary audit
19 resolution.

20 H. Notwithstanding any other provision of law, all payments
21 disbursed from the State Treasury shall be conveyed solely through
22 an electronic payment mechanism. The State Treasurer may provide an
23 exemption from the provision of this subsection, with cause,
24 provided the name of each vendor and the cause for the exemption is

1 published in a report which is featured prominently on the State
2 Treasurer's website.

3 SECTION 21. AMENDATORY 74 O.S. 2001, Section 20, is
4 amended to read as follows:

5 Section 20. A. The Attorney General shall annually publish all
6 of the written opinions which he promulgates in connection with the
7 interpretation of the laws of the State of Oklahoma. One copy of
8 the bound volume shall be sent to ~~each member of the Legislature,~~
9 each state officer, the chairman of each board or commission, and
10 the county law library in each county in the state where the same
11 shall be available to the public and ~~fifty copies~~ an electronic copy
12 shall be sent to the Publications Clearinghouse of the Oklahoma
13 Department of Libraries ~~for purposes of exchange as set out in Title~~
14 ~~65 of the Oklahoma Statutes.~~ A copy of each annual volume is to be
15 placed on file in the Secretary of State's Office and shall be
16 available for public inspection.

17 B. The Attorney General is hereby authorized to sell any
18 surplus bound volumes and requested individual copies of opinions to
19 help cover the cost of the publication, postal charges and other
20 necessary expenses and proceeds of such sales shall be deposited
21 into the fund herein established.

22 C. There is hereby created in the State Treasury a revolving
23 fund for the Attorney General, to be designated the Attorney
24 General's Revolving Fund. The fund shall be a continuing fund, not

1 subject to fiscal year limitations, and shall consist of all monies
2 received from the sale of copies of surplus bound volumes and
3 requested individual copies of opinions and such other monies as are
4 provided for by law. Expenditures from said fund shall be made upon
5 warrants issued by the State Treasurer against claims filed as
6 prescribed by law with the Director of the Office of State Finance
7 for approval and payment.

8 SECTION 22. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 34.11.3 of Title 62, unless
10 there is created a duplication in numbering, reads as follows:

11 A. There is hereby established the "Oklahoma State Government
12 Open Documents Initiative".

13 B. The Chief Information Officer shall develop and maintain an
14 online web presence at the web address "documents.ok.gov". The site
15 shall allow public access to electronic documents described in this
16 section. The site shall include functionality allowing site
17 visitors to search the documents by term.

18 C. The Chief Information Officer shall promulgate procedures by
19 which each state agency, board, commission, and public trust having
20 the State of Oklahoma as a beneficiary shall submit a searchable
21 electronic version of each publication to the "documents.ok.gov"
22 website. The procedures shall require submission to the site of all
23 publications otherwise required by law to be submitted to either the
24 Publications Clearinghouse of the Department of Libraries, the

1 Governor, the Speaker of the House of Representatives or the Speaker
2 Pro Tempore of the Senate. The procedures shall require the
3 electronic documents to be provided in an indexed format which
4 enables the document to be searched by specific term.

5 D. State agencies, boards, commissions, and public trusts
6 having the State of Oklahoma as a beneficiary shall comply with
7 procedures promulgated pursuant to the terms of this section.

8 SECTION 23. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 34.11.4 of Title 62, unless
10 there is created a duplication in numbering, reads as follows:

11 A. There is hereby established the "Oklahoma State Government
12 Forms One-Stop Initiative".

13 B. The Chief Information Officer shall develop and maintain an
14 online web presence at the web address "forms.ok.gov". The site
15 shall allow public access to forms described in this section. The
16 site shall include functionality allowing site visitors to search
17 the forms by term.

18 C. The Chief Information Officer shall promulgate procedures by
19 which each state agency, board, commission, and public trust having
20 the State of Oklahoma as a beneficiary shall submit a searchable
21 electronic version of each form to the "forms.ok.gov" website. The
22 procedures shall require the forms to be provided in an indexed
23 format which enables the form to be searched by specific term.

24

1 D. State agencies, boards, commissions, and public trusts
2 having the State of Oklahoma as a beneficiary shall comply with
3 procedures promulgated pursuant to the terms of this section.

4 SECTION 24. AMENDATORY Section 1, Chapter 327, O.S.L.
5 2007, as amended by Section 2, Chapter 475, O.S.L. 2010 (62 O.S.
6 Supp. 2010, Section 46), is amended to read as follows:

7 Section 46. A. This act shall be known and may be cited as the
8 "Taxpayer Transparency Act".

9 B. As used in the Taxpayer Transparency Act:

10 1. "Single website" means a website that allows the public to
11 access information identified in subsection C of this section
12 without any fee or charge to the public for such access;

13 2. "Expenditure of state funds" means the disbursement of state
14 funds, whether appropriated or nonappropriated, excluding:

- 15 a. the transfer of funds between two state agencies,
- 16 b. payments of state or federal assistance to an
17 individual,
- 18 c. child support payments, and
- 19 d. refunds issued by the Oklahoma Tax Commission
20 resulting from the overpayment of tax;

21 3. "Incentive payments" means payments made under the Oklahoma
22 Quality Jobs Program Act, Saving Quality Jobs Act, Oklahoma Quality
23 Jobs Incentive Leverage Act, Small Employer Quality Jobs Incentive
24

1 Act, Oklahoma Specialized Quality Investment Act and Oklahoma
2 Quality Investment Act;

3 4. "Tax credit" means a credit pursuant to the Oklahoma Income
4 Tax Act against tax liability which is taken by a taxpayer,
5 excluding credits authorized under paragraphs 1 and 2 of subsection
6 B of Section 2357 and Sections 2357.29 and 2357.43 of Title 68 of
7 the Oklahoma Statutes; and

8 5. "Stimulus funds expenditure" means the disbursement by state
9 agencies of federal funds received pursuant to the federal American
10 Recovery and Reinvestment Act of 2009.

11 C. No later than January 1, 2008, the Office of State Finance
12 shall develop and operate a single website accessible by the public.
13 The website shall include aggregate information on state revenue,
14 expenditures and incentive payments and information on state tax
15 preferences as contained in the tax expenditure report published by
16 the Oklahoma Tax Commission pursuant to subsection E of Section 205
17 of Title 68 of the Oklahoma Statutes. No later than January 1,
18 2009, the website shall include search capabilities.

19 D. As soon as practicable after January 1, 2008, such website
20 shall also include, but not be limited to:

- 21 1. For the expenditure of state funds or incentive payments:
- 22 a. the name and principal location of the entity and/or
 - 23 recipients of the funds, excluding release of
 - 24 information relating to an individual's place of

1 residence, release of information prohibited by
2 subsection D of Section 24A.7 of Title 51 of the
3 Oklahoma Statutes or by federal law relating to
4 privacy rights,

- 5 b. the amount of state funds expended,
- 6 c. the type of transaction,
- 7 d. the funding or expending agency, and
- 8 e. a descriptive purpose of the funding action or
9 expenditure;

10 2. For stimulus fund expenditures:

- 11 a. a link to the name and principal location of the
12 entity and/or recipients of the funds regardless of
13 amount,
- 14 b. the amount of stimulus funds expended,
- 15 c. the funding or expending agency, and
- 16 d. a descriptive purpose of the funding action or
17 expenditure; and

18 3. For each tax credit, information, including but not limited

19 to:

- 20 a. the name of each taxpayer to which a credit has been
21 granted,
- 22 b. the amount of such credit, and
- 23 c. the specific provision under which a credit has been
24 granted.

1 E. The single website provided for in subsection C of this
2 section shall include data on state revenue, expenditures and
3 incentive payments for the fiscal year 2007 and each fiscal year
4 thereafter, on state tax credits for tax year 2007 and each tax year
5 thereafter, and on stimulus fund expenditures for the fiscal year
6 2009 and each fiscal year thereafter. Such data shall be available
7 on the single website no later than one hundred twenty (120) days
8 after the last day of the preceding fiscal year; provided, data on
9 stimulus fund expenditures for the fiscal year 2009 shall be
10 available on the single website within one hundred twenty (120) days
11 after the effective date of this act.

12 F. The Oklahoma Tax Commission, the Office of the State
13 Treasurer, all institutions of The Oklahoma State System of Higher
14 Education and any other state agency shall provide to the Office of
15 State Finance such information as is necessary to accomplish the
16 purposes of the Taxpayer Transparency Act.

17 G. No later than January 1, 2012, the Office of State Finance
18 shall include as part of the single website all spending data
19 subject to publication by the "School District Transparency Act" in
20 Title 70 of the Oklahoma Statutes.

21 H. So that the Tax Commission may fulfill its obligations as
22 required by this section, all recipients of tax credits, as that
23 term is defined herein, shall file their reports or returns claiming
24 the tax credits in an electronic format, as may be required by the

1 Tax Commission. The Tax Commission may disallow any claim of a
2 person for a tax credit due to its failure to file a report or
3 return as required under the authority of this subsection.

4 ~~H.~~ I. Nothing in the Taxpayer Transparency Act shall require
5 the disclosure of information which is required to be kept
6 confidential by state or federal law.

7 ~~I.~~ J. The disclosure of information required by this section
8 shall create no liability whatsoever, civil or criminal, to the
9 State of Oklahoma or any member of the Office of State Finance or
10 any employee thereof for disclosure of the information or for any
11 error or omission in the disclosure.

12 ~~J.~~ K. The State Auditor and Inspector shall maintain a website
13 providing public access to the documentation of stimulus funding
14 pursuant to the requirements of this section. The website shall
15 provide a list of all stimulus fund expenditures regardless of
16 amount. The entire list of stimulus fund expenditures and each of
17 the related content requirements as detailed in subsection D of this
18 section shall be available for export in standardized formats
19 including but not limited to eXtensible Markup Language (XML) and
20 Comma Separated Value (CSV) formats. The list of expenditures shall
21 include searchable functionality including but not limited to the
22 ability to search the expenditures by the name of the entity
23 receiving funding, name of entity processing funding and name of
24 entity benefiting from funding.

1 ~~K.~~ L. Information about tax credits subject to disclosure
2 pursuant to this section shall include the identity of all taxpayers
3 or organizations having any part in the chain of custody or claim to
4 the credit or credits at any time during the credit's existence.

5 SECTION 25. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 34.11.5 of Title 62, unless
7 there is created a duplication in numbering, reads as follows:

8 A. There is hereby established the "Oklahoma State Government
9 Geographic Information One-Stop Initiative".

10 B. The State Geographic Information Coordinator shall develop
11 and maintain an online web presence at the web address
12 "maps.ok.gov". The site shall allow public access to geodata
13 described in this section.

14 C. The State Geographic Information Coordinator shall
15 promulgate procedures by which each state agency, board, commission
16 and public trust having the State of Oklahoma as a beneficiary shall
17 submit geodata to the Office of Geographic Information to be
18 published on the "maps.ok.gov" website.

19 D. For the purposes of this section the term "geodata" shall
20 mean information which can be presented as a component of a
21 geographic or spatial presentation.

22 E. State agencies, boards, commissions and public trusts having
23 the State of Oklahoma as a beneficiary shall comply with procedures
24 promulgated pursuant to the terms of this section.

1 SECTION 26. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 34.11.6 of Title 62, unless
3 there is created a duplication in numbering, reads as follows:

4 A. There is hereby established the "Oklahoma State Government
5 Payroll Processing One-Stop Initiative".

6 B. The Director of the Office of State Finance shall promulgate
7 procedures by which state agencies shall enter into a shared-
8 services arrangement with the Office of State Finance for the
9 provision of payroll processing services.

10 C. State agencies shall comply with procedures promulgated
11 pursuant to the terms of this section.

12 SECTION 27. AMENDATORY Section 4, Chapter 475, O.S.L.
13 2010 (62 O.S. Supp. 2010, Section 34.11.2), is amended to read as
14 follows:

15 Section 34.11.2 A. There is hereby established the Oklahoma
16 State Government 2.0 ~~pilot program~~ initiative.

17 B. The State Governmental Technology Applications Review Board
18 shall consider and ~~may~~ approve a standardized social media policy
19 for use by state agencies, boards, commissions and public trusts
20 having the State of Oklahoma as a beneficiary.

21 C. The board shall establish open technology standards and a
22 schedule by which state agencies, boards, commissions and public
23 trusts having the State of Oklahoma as a beneficiary shall utilize
24 these standards to provide citizens with web-based interactivity to

1 state government services. Whenever possible these standards shall
2 match commonly used standards by other government entities.

3 D. The board shall set a schedule by which state agencies,
4 boards, commissions and public trusts having the State of Oklahoma
5 as a beneficiary shall publish and update convenience information
6 sets which shall be accessible through standardized application
7 programming interfaces and published in standardized formats
8 including but not limited to eXtensible Markup Language (XML) and
9 Comma Separated Value (CSV) formats. The board shall establish
10 application programming interface standards which enable access to
11 convenience information sets. The schedule shall place an emphasis
12 on first making accessible convenience information sets most
13 commonly requested in open records requests. A directory and link
14 to all available convenience information sets shall be prominently
15 featured on the portal system referenced in Section 34.24 of ~~Title~~
16 ~~62 of the Oklahoma Statutes~~ this title and if possible linked to the
17 "data.ok.gov" web portal.

18 E. The board may conduct events and contests to provide
19 recognition of software application development provided that the
20 application being recognized utilizes standards established in this
21 section to the benefit of the citizens of Oklahoma.

22 F. The board shall establish an application process through
23 which applicants can request the scheduled implementation of
24 application programming interfaces, creation of open technology

1 standards and publication of convenience information sets pursuant
2 to the provisions of this section. Instructions regarding the
3 application process shall be prominently featured on the portal
4 system referenced in Section 34.24 of ~~Title 62 of the Oklahoma~~
5 ~~Statutes~~ this title.

6 G. State agencies, boards, commissions and public trusts having
7 the State of Oklahoma as a beneficiary shall comply with the
8 policies, schedules and standards established by this section.

9 H. The board shall implement standardized policies by which
10 state agencies may accept terms of service related to liability
11 issues for the usage of social media services, contracts for
12 technology products and technology service contracts provided the
13 liability clause in the terms of service or contract contains
14 standard language including a liability agreement which is
15 considered customary or largely similar to terms of service agreed
16 to or contracts entered into by other government entities and
17 private sector enterprises.

18 I. The board shall promulgate performance metrics and
19 guidelines which shall be used to establish criteria which govern
20 participation in the "State Government Employee Performance
21 Transparency Pilot Program". The board shall set a schedule for the
22 publication of performance information metrics through the
23 "data.ok.gov" website.

24

1 J. For the purposes of this section, "open technology
2 standards" are widely accepted standards and mechanisms for the web-
3 based connectivity and asynchronous communication between software
4 programs. "Application programming interface" is a standardized
5 interface enabling a standard form of connectivity between
6 convenience information sets and software programs, "performance
7 information metrics" are sets of information which reflect the
8 performance of state employees and state agencies, and "convenience
9 information sets" are sets of information which are subject to
10 public access under the Oklahoma Open Records Act and which do not
11 contain personally identifiable information.

12 SECTION 28. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 34.11.1.1 of Title 62, unless
14 there is created a duplication in numbering, reads as follows:

15 A. The Chief Information Officer shall source and submit to the
16 State Governmental Technology Applications Review Board proposed
17 state employee performance information metrics, convenience
18 information sets and other data streams for possible publication on
19 the "data.ok.gov" website in accordance with guidelines established
20 by Section 34.11.2 of Title 62 of the Oklahoma Statutes.

21 B. The Chief Information Officer shall assist the State
22 Governmental Technology Applications Review Board with developing
23 performance metrics pursuant to the requirements of Section 34.27 of
24 Title 62 of the Oklahoma Statutes.

1 C. The following data sets shall be placed online at the
2 "data.ok.gov" website:

3 1. All state expenditures which shall include but not be
4 limited to the name and address of the recipient of the expenditure,
5 amount of expenditure, entire description of item or service
6 purchased, date of expenditure, agency making expenditure and
7 account from which the expenditure is made;

8 2. A detailed listing of all state revolving funds and the
9 amount contained in each fund to be updated on a monthly basis; and

10 3. All spending data subject to publication by the School
11 District Transparency Act.

12 SECTION 29. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 34.11.7 of Title 62, unless
14 there is created a duplication in numbering, reads as follows:

15 A. The State Governmental Technology Applications Review Board
16 shall establish performance reporting metrics for each state
17 employee who begins participating in telework following the
18 effective date of this act. These reports shall be published
19 through the "data.ok.gov" website.

20 B. Prior to the lease, purchase, rental or issuance of bonds
21 for the use of additional office space, state agencies shall receive
22 certification from the State Governmental Technology Applications
23 Review Board that no state employee jobs in that agency can be
24 performed through telework.

1 C. The Oklahoma Healthcare Authority shall authorize one
2 division of employees to participate in a telework pilot program
3 pursuant to the terms of this section.

4 D. For the purposes of this section, "performance reporting
5 metrics" shall mean a set of criteria which demonstrates the
6 quantity and quality of work. "Telework" shall mean work which is
7 performed outside of the traditional on-site work environment.

8 SECTION 30. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 34.11.8 of Title 62, unless
10 there is created a duplication in numbering, reads as follows:

11 A. There is hereby established the "Oklahoma State Government
12 IT Project Monitoring and Transparency Initiative".

13 B. The Chief Information Officer shall develop and maintain an
14 online web presence at the web address "projects.ok.gov". The site
15 shall allow the public to monitor the status of every information
16 technology project resulting in expenditure in excess of One Hundred
17 Thousand Dollars (\$100,000.00).

18 C. A report of each project subject to the terms of this
19 initiative shall be updated regularly and provide the public with
20 updates as to the status of the project's estimated completion time,
21 deliverables and cost. Projects shall be judged against clear
22 metrics which shall be articulated on the website prior to the
23 commencement of each project.

24

1 SECTION 31. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 85.7e of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Department of Central Services or its successor agency
5 shall utilize a wiki venue to provide for the public two-way
6 communication between procurement officers and potential vendors who
7 have questions regarding a request for proposal or invitation to
8 bid. The Department shall provide editing access to all interested
9 potential bidders and viewing access to all members of the public.

10 B. The Department of Central Services or its successor agency
11 shall provide agency-level procurement officers with a wiki platform
12 for reporting the availability of items for purchase at a cost which
13 is less than comparable products on a mandatory statewide purchase
14 contract. The Department shall provide wiki editing access to all
15 state agency procurement officers and viewing access to all members
16 of the public.

17 C. State agency procurement officers shall utilize the wiki
18 described in subsection B of this section to report all findings of
19 products which can be purchased for less than comparable products
20 which are on a mandatory statewide purchasing schedule.

21 D. For the purposes of this section, the term "wiki" shall mean
22 a collaborative website which can be directly edited by anyone with
23 editing access and viewed by all members of the public.

24

1 E. Access to the wikis described in this section shall be
2 featured prominently on the Department's website.

3 SECTION 32. AMENDATORY 74 O.S. 2001, Section 500.13, is
4 amended to read as follows:

5 Section 500.13 No reimbursement for registration fees for
6 attendance at meetings, workshops or conferences shall be made,
7 except upon written or electronic receipt for such expenditures.

8 SECTION 33. AMENDATORY 74 O.S. 2001, Section 500.15, is
9 amended to read as follows:

10 Section 500.15 All claims for reimbursement of travel expenses
11 shall be submitted on the regular authorized form of travel expense
12 claim, and shall be signed by the official or employee performing
13 the travel, and approved by the official or employee designated in
14 62 O.S. 1971, Section 41.26, for the agency in which the employee
15 works. Receipts may be provided to the Office of State Finance in
16 electronic form. No travel claim shall be awarded if the filer of
17 the claim has benefited from the personal receipt of frequent travel
18 miles unless those miles are used to offset future claims against
19 the state.

20 SECTION 34. This act shall become effective July 1, 2011.

21 SECTION 35. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

1 Passed the House of Representatives the 9th day of March, 2011.

2
3
4 Presiding Officer of the House of
Representatives

5
6 Passed the Senate the ____ day of _____, 2011.

7
8
9 Presiding Officer of the Senate