

1 ENGROSSED HOUSE
2 BILL NO. 2197

By: Murphey of the House

3 and

4 Brecheen of the Senate

5
6
7 An Act relating to state government; creating the
8 Cost Reduction and Saving Act; amending 62 O.S. 2011,
9 Section 34.11.1, which relates to the Chief
10 Information Officer; modifying duties; amending 74
11 O.S. 2011, Sections 85.3A and 85.45k, which relate to
12 the Department of Central Services; authorizing
13 certain advisory committee; authorizing invitation to
14 certain entities; modifying duties of State Travel
15 Office; amending 74 O.S. 2011, Section 500.2, which
16 relates to the State Travel Reimbursement Act;
17 modifying use of purchase card; defining terms;
18 requiring certain consideration prior to expenditure;
19 prohibiting acquisition of certain products;
20 authorizing agency to consider certain contracts;
21 defining term; providing for codification; and
22 providing for noncodification.

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

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

This act shall be known and may be cited as the "Cost Reduction
and Saving Act".

SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.11.1, is
amended to read as follows:

1 Section 34.11.1 A. There is hereby created the position of
2 Chief Information Officer who shall be appointed by the Governor.
3 The Chief Information Officer, in addition to having authority over
4 the Information Services Division of the Office of State Finance,
5 shall also serve as Secretary of Information Technology and
6 Telecommunications or successor cabinet position and shall have
7 jurisdictional areas of responsibility related to information
8 technology and telecommunications systems of all state agencies as
9 provided for in the Oklahoma Information Services Act. The salary
10 of the Chief Information Officer shall not be less than One Hundred
11 Thirty Thousand Dollars (\$130,000.00) or more than One Hundred Sixty
12 Thousand Dollars (\$160,000.00). The first Chief Information Officer
13 shall be appointed no later than January 1, 2010.

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

16 1. A baccalaureate degree in Computer Information Systems,
17 Information Systems or Technology Management, Business
18 Administration, Finance, or other similar degree;

19 2. A minimum of ten (10) years of professional experience with
20 responsibilities for management and support of information systems
21 and information technology, including seven (7) years of direct
22 management of a major information technology operation;

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

- 1 4. Experience with data and voice convergence service
- 2 offerings;
- 3 5. Experience in developing technology budgets;
- 4 6. Experience in developing requests for proposal and
- 5 administering the bid process;
- 6 7. Experience managing professional staff, teams, and
- 7 consultants;
- 8 8. Knowledge of telecommunications operations;
- 9 9. Ability to develop and set strategic direction for
- 10 information technology and telecommunications and to manage daily
- 11 development and operations functions;
- 12 10. An effective communicator who is able to build consensus;
- 13 11. Ability to analyze and resolve complex issues, both logical
- 14 and interpersonal;
- 15 12. Effective verbal and written communications skills and
- 16 effective presentation skills, geared toward coordination and
- 17 education;
- 18 13. Ability to negotiate and defuse conflict; and
- 19 14. A self-motivator, independent, cooperative, flexible and
- 20 creative.

21 C. The salary and any other expenses for the Chief Information
22 Officer shall be budgeted as a separate line item through the Office
23 of State Finance. The operating expenses of the Information
24 Services Division shall be set by the Chief Information Officer and

1 shall be budgeted as a separate line item through the Office of
2 State Finance. The Office of State Finance shall provide adequate
3 office space, equipment and support necessary to enable the Chief
4 Information Officer to carry out the information technology and
5 telecommunications duties and responsibilities of the Officer and
6 the Information Services Division.

7 D. 1. Within twelve (12) months of appointment, the first
8 Chief Information Officer shall complete an assessment of the
9 implementation of the transfer, coordination, and modernization of
10 all information technology and telecommunication systems of all
11 state agencies in the state as provided for in the Oklahoma
12 Information Services Act. The assessment shall include the
13 information technology and telecommunications systems of all
14 institutions within The Oklahoma State System of Higher Education,
15 the Oklahoma State Regents for Higher Education and the
16 telecommunications network known as OneNet.

17 2. Within twelve (12) months of appointment, the first Chief
18 Information Officer shall issue a report setting out a plan of
19 action which will include the following:

- 20 a. define the shared service model organization structure
21 and the reporting relationship of the recommended
22 organization,
- 23 b. the implementation of an information technology and
24 telecommunications shared services model that defines

1 the statewide infrastructure environment needed by
2 most state agencies that is not specific to individual
3 agencies and the shared applications that are utilized
4 across multiple agencies,

5 c. define the services that shall be in the shared
6 services model under the control of the Information
7 Services Division of the Office of State Finance,

8 d. define the roadmap to implement the proposed shared
9 services model. The roadmap shall include
10 recommendations on the transfer, coordination, and
11 modernization of all information technology and
12 telecommunication systems of all the state agencies in
13 the state,

14 e. recommendations on the reallocation of information
15 technology and telecommunication resources and
16 personnel,

17 f. recommendations on maximizing the benefits to the
18 state by the alignment and operation of the
19 communications and data transfer network assets known
20 as OneNet,

21 g. a cost benefit analysis to support the recommendations
22 on the reallocation of information technology and
23 telecommunication resources and personnel,
24

- 1 h. a calculation of the net savings realized through the
2 reallocation and consolidation of information
3 technology and telecommunication resources and
4 personnel after compensating for the cost of
5 contracting with a private consultant as authorized in
6 paragraph 4 of this subsection, implementing the plan
7 of action, and ongoing costs of the Information
8 Services Division of the Office of State Finance, and
9 i. the information required in subsection B of Section ~~5~~
10 35.5 of this ~~act~~ title.

11 3. The plan of action report shall be presented to the
12 Governor, Speaker of the House of Representatives, and the President
13 Pro Tempore of the State Senate.

14 4. The Chief Information Officer may contract with a private
15 consultant or consultants to assist in the assessment and
16 development of the plan of action report as required in this
17 subsection.

18 E. Beginning on the effective date of appointment, the Chief
19 Information Officer shall be authorized to employ personnel, fix the
20 duties and compensation of the personnel, not otherwise prescribed
21 by law, and otherwise direct the work of the personnel in performing
22 the function and accomplishing the purposes of the Information
23 Services Division of the Office of State Finance.

1 F. Beginning on the effective date of the appointment of the
2 first Chief Information Officer, the Information Services Division
3 of the Office of State Finance shall be responsible for the
4 following duties:

5 1. Formulate and implement the information technology strategy
6 for all state agencies;

7 2. Define, design, and implement a shared services statewide
8 infrastructure and application environment for information
9 technology and telecommunications for all state agencies;

10 3. Direct the development and operation of a scalable
11 telecommunications infrastructure that supports data and voice
12 communications reliability, integrity, and security;

13 4. Supervise the applications development process for those
14 applications that are utilized across multiple agencies;

15 5. Provide direction for the professional development of
16 information technology staff of state agencies and oversee the
17 professional development of the staff of the Information Services
18 Division of the Office of State Finance;

19 6. Evaluate all technology and telecommunication investment
20 choices for all state agencies;

21 7. Create a plan to ensure alignment of current systems, tools,
22 and processes with the strategic information technology plan for all
23 state agencies;

1 8. Set direction and provide oversight for the support and
2 continuous upgrading of the current information technology and
3 telecommunication infrastructure in the state in support of enhanced
4 reliability, user service levels, and security;

5 9. Direct the development, implementation, and management of
6 appropriate standards, policies and procedures to ensure the success
7 of state information technology and telecommunication initiatives;

8 10. Recruit, hire and transfer the required technical staff in
9 the Information Services Division of the Office of State Finance to
10 support the services provided by the Division and the execution of
11 the strategic information technology plan;

12 11. Establish, maintain, and enforce information technology and
13 telecommunication standards;

14 12. Delegate, coordinate, and review all work to ensure quality
15 and efficient operation of the Information Services Division of the
16 Office of State Finance;

17 13. Create and implement a communication plan that disseminates
18 pertinent information to state agencies on standards, policies,
19 procedures, service levels, project status, and other important
20 information to customers of the Information Services Division of the
21 Office of State Finance and provide for agency feedback and
22 performance evaluation by customers of the Division;

23 14. Develop and implement training programs for state agencies
24 using the shared services of the Information Services Division of

1 the Office of State Finance and recommend training programs to state
2 agencies on information technology and telecommunication systems,
3 products and procedures;

4 15. Provide counseling, performance evaluation, training,
5 motivation, discipline, and assign duties for employees of the
6 Information Services Division of the Office of State Finance;

7 16. Approve the purchasing of all information technology and
8 telecommunication products and services for all state agencies;

9 17. Develop and enforce an overall infrastructure architecture
10 strategy and associated roadmaps for desktop, network, server,
11 storage, and statewide management systems for state agencies;

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

16 19. Define and implement a governance model for requesting
17 services and monitoring service level metrics for all shared
18 services; and

19 20. Create the budget for the Information Services Division of
20 the Office of State Finance to be submitted to the Legislature each
21 year.

22 G. Upon receiving approval of the State Governmental Technology
23 Applications Review Board, the Chief Information Officer shall
24 implement the plan of action as set forth in subsection D of this

1 section; provided, the plan of action for the Department of Human
2 Services shall not be implemented until July 1, 2011. The State
3 Governmental Technology Applications Review Board shall provide
4 ongoing oversight of the implementation of the plan of action. Any
5 proposed amendments to the plan of action shall be approved by the
6 Board prior to adoption. The net savings realized through the
7 reallocation and consolidation of information technology and
8 telecommunication resources and personnel after compensating for the
9 up-front costs and ongoing costs of the Information Services
10 Division of the Office of State Finance which are identified and
11 reported in the plan of action shall be realized no later than July
12 1, 2012, and shall at a minimum be not less than fifteen percent
13 (15%) of the overall statewide information technology and
14 telecommunications expenditures made by all state agencies during
15 the fiscal year ending June 30, 2009.

16 H. Beginning on the effective date of appointment, the Chief
17 Information Officer shall act as the Information Technology and
18 Telecommunications Purchasing Director for all state agencies and
19 shall be responsible for the procurement of all information
20 technology and telecommunication software, hardware, equipment,
21 peripheral devices, maintenance, consulting services, high
22 technology systems, and other related information technology, data
23 processing, telecommunication and related peripherals and services
24 for all state agencies. The Chief Information Officer shall

1 establish, implement, and enforce policies and procedures for the
2 procurement of information technology and telecommunication
3 software, hardware, equipment, peripheral devices, maintenance,
4 consulting services, high technology systems, and other related
5 information technology, data processing, telecommunication and
6 related peripherals and services by purchase, lease-purchase, lease
7 with option to purchase, lease and rental for all state agencies.
8 The procurement policies and procedures established by the Chief
9 Information Officer shall be consistent with The Oklahoma Central
10 Purchasing Act and Section 6 of this act.

11 I. The Information Services Division of the Office of State
12 Finance and the Chief Information Officer shall be subject to The
13 Oklahoma Central Purchasing Act for the approval and purchase of
14 equipment and products not related to information and
15 telecommunications technology, equipment, software, products and
16 related peripherals and services and shall also be subject to the
17 requirements of the Public Competitive Bidding Act of 1974, the
18 Oklahoma Lighting Energy Conservation Act and the Public Building
19 Construction and Planning Act when procuring data processing,
20 information technology, telecommunication, and related peripherals
21 and services and when constructing information technology and
22 telecommunication facilities, telecommunication networks and
23 supporting infrastructure. The Chief Information Officer shall be
24 authorized to delegate all or some of the procurement of information

1 technology and telecommunication products and services and
2 construction of facilities and telecommunication networks to another
3 state entity if the Chief Information Officer determines it to be
4 cost-effective and in the best interest of the state. The Chief
5 Information Officer shall have authority to designate information
6 technology and telecommunication contracts as statewide contracts
7 and mandatory statewide contracts pursuant to Section 85.5 of Title
8 74 of the Oklahoma Statutes. Any contract entered into by a state
9 agency for which the Chief Information Officer has not acted as the
10 Information Technology and Telecommunications Purchasing Director as
11 required in this subsection or subsection H of this section, shall
12 be deemed to be unenforceable and the Office of State Finance shall
13 not process any claim associated with the provisions thereof.

14 J. The Chief Information Officer shall establish and implement
15 charges and a system to assess the charges to state agencies for
16 their use of shared information technology and telecommunication
17 services subject to the approval of the State Governmental
18 Technology Applications Review Board.

19 K. The Chief Information Officer shall establish, implement,
20 and enforce policies and procedure for the development and
21 procurement of an interoperable radio communications system for
22 state agencies. The Chief Information Officer shall work with local
23 governmental entities in developing the interoperable radio
24 communications system.

1 L. The Chief Information Officer shall develop and implement a
2 plan to utilize open source technology and products for the
3 information technology and telecommunication systems of all state
4 agencies.

5 M. All state agencies and authorities of this state and all
6 officers and employees of those entities shall work and cooperate
7 with and lend assistance to the Chief Information Officer and the
8 Information Services Division of the Office of State Finance and
9 provide any and all information requested by the Chief Information
10 Officer.

11 N. The Chief Information Officer shall prepare an annual report
12 detailing the ongoing net saving attributable to the reallocation
13 and consolidation of information technology and telecommunication
14 resources and personnel and shall submit the report to the Governor,
15 the Speaker of the House of Representatives, and the President Pro
16 Tempore of the Senate.

17 O. For purposes of the Oklahoma Information Services Act,
18 unless otherwise provided for, "state agencies" shall include any
19 office, officer, bureau, board, commission, counsel, unit, division,
20 body, authority or institution of the executive branch of state
21 government, whether elected or appointed; provided, except with
22 respect to the provisions of subsection D of this section, the term
23 "state agencies" shall not include institutions within The Oklahoma
24

1 State System of Higher Education, the Oklahoma State Regents for
2 Higher Education and the telecommunications network known as OneNet.

3 SECTION 3. AMENDATORY 74 O.S. 2011, Section 85.3A, is
4 amended to read as follows:

5 Section 85.3A A. Compliance with the provisions of The
6 Oklahoma Central Purchasing Act shall not be required of:

7 1. County government;

8 2. The Oklahoma State Regents for Higher Education, the
9 institutions, centers, or other constituent agencies of The Oklahoma
10 State System of Higher Education;

11 3. The telecommunications network known as OneNet;

12 4. The Department of Public Safety gun range;

13 5. The State Treasurer for the following purchases:

14 a. services, including, but not limited to, legal
15 services to assist in the administration of the
16 Uniform Unclaimed Property Act, as provided in Section
17 668 of Title 60 of the Oklahoma Statutes, and

18 b. software, hardware and associated services to assist
19 in the administration of funds and securities held by
20 the state, as provided in Section 71.2 of Title 62 of
21 the Oklahoma Statutes;

22 6. CompSource Oklahoma if CompSource Oklahoma is operating
23 pursuant to a pilot program authorized by Sections 3316 and 3317 of
24 this title; or

1 7. The Oklahoma Wheat Utilization, Reasearch and Market
2 Development Commission.

3 B. The State Purchasing Director may form an advisory committee
4 consisting of representatives from entities exempted from the
5 provisions of The Oklahoma Central Purchasing Act. The purpose of
6 the committee shall be to allow committee members to provide input
7 into the development of shared state purchasing contracts,
8 collaboratively participate in the integration of their purchasing
9 platforms or electronic purchasing catalogs, analyze solutions that
10 may be used by state government to meet the purchasing needs of the
11 entities, explore joint purchases of general use items that result
12 in mutual procurement of quality goods and services at the lowest
13 reasonable cost and explore flexibility, administrative relief, and
14 transformation changes through utilization of procurement
15 technology.

16 C. At the invitation of the State Purchasing Director entities
17 exempted from the provisions of The Oklahoma Central Purchasing Act
18 shall participate in the advisory committee referenced in subsection
19 B of this section.

20 D. The State Purchasing Director may invite representatives of
21 local government and local common education entities to participate
22 as members of the advisory committee.

23 SECTION 4. AMENDATORY 74 O.S. 2011, Section 85.45k, is
24 amended to read as follows:

1 Section 85.45k A. There is hereby created the State Travel
2 Office within the Purchasing Division of the Department of Central
3 Services.

4 B. All state agencies and departments of this state shall make
5 arrangements for all air travel on scheduled commercial airlines for
6 state employees required to travel in the course of their official
7 duties and for all other persons traveling at state expense through
8 the State Travel Office, except when the state agency determines
9 that:

10 1. The air travel services can be secured at a cost less than
11 that which can be secured by the State Travel Office; or

12 2. The air travel originates from a location outside the state
13 and it would be impractical to arrange for the air travel through
14 the State Travel Office; or

15 3. The air travel is necessitated by an emergency and time does
16 not permit utilization of the State Travel Office's services; or

17 4. The air travel is part of a package arrangement made by the
18 organization scheduling the meeting or conference.

19 C. All claims made for reimbursement shall contain a statement
20 showing the reason for the exemption.

21 ~~D. The State Travel Office shall divide the state into high~~
22 ~~travel areas and low travel areas. A high travel area shall consist~~
23 ~~of no more than one county. Oklahoma, Tulsa, Payne and Cleveland~~
24 ~~Counties and any other county that accounts for a substantial~~

1 ~~portion of air travel at state expense shall be designated as high~~
2 ~~travel areas. The remaining counties of the state shall be~~
3 ~~designated as low travel areas. Low travel areas may consist of~~
4 ~~more than one county, as determined by the State Travel Office. The~~
5 ~~State Travel Office shall contract with no less than six private~~
6 ~~travel agencies in a high travel area and one or more private travel~~
7 ~~agencies in a low travel area to provide the scheduling and related~~
8 ~~travel services required to comply with this section. In order to~~
9 ~~take advantage of local competitive situations, institutions of The~~
10 ~~Oklahoma State System of Higher Education in high travel areas are~~
11 ~~authorized to solicit competitive bids for air travel services by~~
12 ~~travel agencies. If the bids result in greater savings than the~~
13 ~~state contract, then these institutions may issue individual~~
14 ~~contracts to not less than two travel agencies. Further,~~
15 ~~institutions of The Oklahoma State System of Higher Education in~~
16 ~~high travel areas are also authorized to solicit competitive bids~~
17 ~~for applicable city pair destination rates to airline companies. If~~
18 ~~the bids result in a greater savings than the state contract rates,~~
19 ~~these institutions may issue individual contracts to the airline~~
20 ~~companies with the lowest bids.~~

21 ~~E. D.~~ The State Travel Office shall promulgate rules and
22 contract specifications to which the contract travel agencies shall
23 be subject. The rules and specifications shall be drawn with the
24

1 intent of obtaining the lowest available fares for scheduled
2 commercial air travel.

3 ~~F.~~ E. At the end of each month the contract travel agencies
4 shall furnish a statement, in a form approved by the State Travel
5 Office, showing certain details of all travel arrangements handled
6 to each state agency for which the contract travel agencies have
7 furnished their services and shall also furnish copies of said
8 statements to the State Travel Office.

9 SECTION 5. AMENDATORY 74 O.S. 2011, Section 500.2, is
10 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. Whenever possible it shall be the policy of each state
20 agency to prepay airline fares and lodging expenses using a purchase
21 card issued to the agency. This policy shall apply to instances
22 where employees of the agency are traveling on behalf of state
23 government.
24

1 SECTION 6. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 85.7h of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. For the purposes of this section, "open source software"
5 means software that guarantees the user of the software use of the
6 software for any purpose, allows unrestricted access to the
7 respective source code, enables the use of the internal mechanisms
8 and arbitrary portions of the software with the ability to adapt
9 them to the needs of the user, provides the freedom to make and
10 distribute copies of the software, and guarantees the right to
11 modify the software with the freedom to distribute modifications of
12 the new resulting software under the same license as the original
13 software. "Open standards" means specifications for the encoding
14 and transfer of computer data that is free for all to implement and
15 use in perpetuity, with no royalty or fee, has restrictions on the
16 use of data stored in the format, has no restrictions on the
17 creation of software that stores, transmits, receives, or accesses
18 data codified in such way, has a specification available for all to
19 read, in a human-readable format, written in commonly accepted
20 technical language, is documented, so that anyone can write software
21 that can read and interpret the complete semantics of any data file
22 stored in the data format, allows any file written in that format to
23 be identified as adhering or not adhering to the format, and
24 provides that any encryption or obfuscation algorithms are usable in

1 a royalty-free, nondiscriminatory manner in perpetuity, and are
2 documented so that anyone in possession of the appropriate
3 encryption key or keys or other data necessary to recover the
4 original data is able to write software to access the data.

5 "Proprietary software" means software that does not fulfill all of
6 the guarantees provided by open source software.

7 B. Prior to approving software acquisition requests, the Chief
8 Information Officer shall require that the purchasing entity has
9 considered whether proprietary or open source software offers the
10 most cost-effective software solution for the agency, based on
11 consideration of all associated acquisition, support, maintenance,
12 and training costs.

13 C. Whenever possible the Chief Information Officer shall avoid
14 approving requests for the acquisition of products that do not
15 comply with open standards for interoperability or data storage.

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

19 Notwithstanding any other section of law, the Chief Information
20 Officer may allow a public agency to utilize state technology
21 contracts duly awarded by this state under The Oklahoma Central
22 Purchasing Act. For the purposes of this section the term "public
23 agency" means a government agency recognized as a state or local
24 government agency in its state of origin.

