

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 153

By: Russell

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5
6 AS INTRODUCED

7 An Act relating to convenience fees; amending 62 O.S.
8 2001, Sections 34.25, as last amended by Section 42,
9 Chapter 2, O.S.L. 2010 and 34.27, as last amended by
10 Section 16, Chapter 451, O.S.L. 2009 (62 O.S. Supp.
11 2010, Sections 34.25 and 34.27), which relate to
12 convenience fee amounts; establishing a maximum
13 amount which may be charged; deleting authority for
14 state entities to set fees; deleting authority for
15 State Governmental Internet Applications Review Board
16 to review fee amounts; deleting requirement for state
17 entities to keep and file certain records and
18 authority to adjust fees; deleting certain duty of
19 State Governmental Internet Applications Review
20 Board; providing an effective date; and declaring an
21 emergency.

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

23 SECTION 1. AMENDATORY 62 O.S. 2001, Section 34.25, as
24 last amended by Section 42, Chapter 2, O.S.L. 2010 (62 O.S. Supp.
2010, Section 34.25), is amended to read as follows:

21 Section 34.25 A. ~~Subject to review and adoption as outlined in~~
22 ~~Section 41.5s of this title, a~~ A state agency, board, commission, or
23 authority is hereby authorized to charge a convenience fee not to
24 exceed Fifty Cents (\$.50) for any electronic or online transaction.

1 A convenience fee shall apply to electronic or online transactions
2 only and shall not apply when accessing information provided through
3 state government websites. ~~If a state entity sets a convenience fee
4 for electronic or online transactions, the fee shall be reviewed by
5 the State Governmental Internet Applications Review Board as
6 provided for in Section 41.5s of this title. Each state entity
7 shall keep a record of how the convenience fee has been determined
8 and shall file the record with the Information Services Division of
9 the Office of State Finance. A state agency, board, commission, or
10 authority may periodically adjust a convenience fee as needed upon
11 review and adoption as provided for in Section 41.5s of this title.~~

12 B. For purposes of this section, "convenience fee" shall mean a
13 charge that is necessary to process an electronic or online
14 transaction with a state agency, board, commission or authority.
15 The fee shall be limited to bank processing fees and financial
16 transaction fees, the cost of providing for secure transaction,
17 portal fees, and fees necessary to compensate for increased
18 bandwidth incurred as a result of providing for an online
19 transaction.

20 SECTION 2. AMENDATORY 62 O.S. 2001, Section 34.27, as
21 last amended by Section 16, Chapter 451, O.S.L. 2009 (62 O.S. Supp.
22 2010, Section 34.27), is amended to read as follows:

23 Section 34.27 A. There is hereby established the State
24 Governmental Technology Applications Review Board. The Board shall

1 review and make recommendations to the Information Services Division
2 of the Office of State Finance concerning state governmental
3 Internet-based electronic or online transactions or applications
4 being provided by state agencies, boards, commissions, or
5 authorities for use by the public, provide oversight for
6 implementation of the plan of action developed by the Chief
7 Information Officer and advise the Chief Information Officer.

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

- 10 1. The Director of State Finance or a designee;
- 11 2. Four representatives from different state agencies, boards,
12 commissions, or authorities to be appointed by the Governor;
- 13 3. Two members who are not state government employees to be
14 appointed by the Speaker of the House of Representatives; and
- 15 4. Two members who are not state government employees to be
16 appointed by the President Pro Tempore of the Senate.

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

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

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

1 1. ~~Reviewing a schedule of convenience fees, as is defined in~~
2 ~~Section 41.5q of this title, and all convenience fees and changes in~~
3 ~~fees charged by state agencies, boards, commissions, or authorities~~
4 ~~for electronic or online transactions, and making recommendations~~
5 ~~pertaining to convenience fees to the Information Services Division~~
6 ~~prior to its adoption by rule of such fees, changes to fees, or fee~~
7 ~~schedule;~~

8 ~~2.~~ Monitoring all portal systems and applications for portal
9 systems created by state agencies, boards, commissions, or
10 authorities, reviewing portal systems applications approved or
11 denied by the Information Service Division of the Office of State
12 Finance, and making recommendations to the Legislature and Governor
13 to encourage greater use of the open-systems concept as is defined
14 in Section 41.5r of this title;

15 ~~3.~~ 2. Approving the plan of action developed by the Chief
16 Information Officer as provided for in ~~Section 2 of this act~~ Section
17 34.11.1 of this title, providing ongoing oversight of implementation
18 of the plan of action by the Chief Information Officer and approving
19 any amendments to the plan of action;

20 ~~4.~~ 3. Approving charges to state agencies established by the
21 Chief Information Officer pursuant to ~~Section 2 of this act~~ Section
22 34.11.1 of this title for their use of shared information technology
23 and telecommunications services;

1 ~~5.~~ 4. Functioning in an advisory capacity to the Chief
2 Information Officer; and

3 ~~6.~~ 5. Developing performance metrics for quantifying the value
4 of goods or services provided by state agencies and for considering
5 if goods and services provided by a state agency could be modernized
6 through the implementation of new technology to provide better
7 quality goods or services that would result in cost savings or best
8 value.

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

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

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