

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2669

6 By: Derby

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to information technology; amending
10 62 O.S. 2011, Section 34.32, as amended by Section
11 364, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2013,
12 Section 34.32), which relates to standard risk
13 assessments of state agencies; modifying requirement
14 for a state agency to conduct an information security
15 risk assessment; requiring risk assessment to be
16 conducted by a third party; providing exception for
17 certain state agencies; directing the Information
18 Services Division of the Office of Management and
19 Enterprise Services to approve certain number of
20 firms; requiring certain state agencies to submit a
21 final report; deleting certain penalty; deleting
22 criteria for risk assessments; amending 62 O.S. 2011,
23 Section 35.9, as last amended by Section 25, Chapter
24 358, O.S.L. 2013 (62 O.S. Supp. 2013, Section 35.9),
which relates to quarterly progress reports under the
Information Technology Consolidation and Coordination
Act; adding certain information to report; providing
an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.32, as
amended by Section 364, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
2013, Section 34.32), is amended to read as follows:

1 Section 34.32 A. The Information Services Division of the
2 Office of Management and Enterprise Services shall create a standard
3 security risk assessment for state agency information technology
4 systems that complies with the International Organization for
5 Standardization (ISO) and the International Electrotechnical
6 Commission (IEC) Information Technology - Code of Practice for
7 Security Management (ISO/IEC ~~17799~~ 27002).

8 B. Each state agency that has an information technology system
9 shall ~~annually conduct~~ obtain an information security risk
10 assessment to identify vulnerabilities associated with the
11 information system. A Unless a state agency has internal expertise
12 to conduct the risk assessment and can submit certification of such
13 expertise along with the annual information security risk
14 assessment, the risk assessment shall be conducted by a third party.
15 The Information Services Division of the Office of Management and
16 Enterprise Services shall approve not less than two firms which
17 state agencies may choose from to conduct the information security
18 risk assessment. A state agency with an information technology
19 system that is not consolidated under the Information Technology
20 Consolidation and Coordination Act or that is otherwise retained by
21 the agency shall submit a final report of the information security
22 risk assessment ~~shall be submitted by each state agency~~ to the
23 Information Services Division by the first day of December of each
24 year. The final information security risk assessment report shall

1 identify, prioritize, and document information security
2 vulnerabilities for each of the state agencies assessed. ~~Failure to~~
3 ~~comply with the requirements of this subsection may result in~~
4 ~~funding being withheld from the agency. State agencies shall use~~
5 ~~either the standard security risk assessment created by the~~
6 ~~Information Services Division or a third-party risk assessment~~
7 ~~meeting the ISO/IEC 17799 standards and using the National Institute~~
8 ~~of Standards and Technology Special Publication 800-30 (NIST SP800-~~
9 ~~30) process and approved by the Information Services Division. The~~
10 ~~Information Services Division shall approve not less than two firms~~
11 ~~which state agencies may choose from to conduct the information~~
12 ~~security risk assessment.~~

13 C. The Information Services Division shall report the results
14 of the state agency assessments required pursuant to this section to
15 the Governor, the Speaker of the House of Representatives, and the
16 President Pro Tempore of the Senate by the first day of January of
17 each year.

18 SECTION 2. AMENDATORY 62 O.S. 2011, Section 35.9, as
19 last amended by Section 25, Chapter 358, O.S.L. 2013 (62 O.S. Supp.
20 2013, Section 35.9), is amended to read as follows:

21 Section 35.9 In addition to any other reporting requirements
22 required by law, the Chief Information Officer shall submit
23 quarterly progress reports to the Director of the Office of
24 Management and Enterprise Services, the Speaker of the House of

1 Representatives and the President Pro Tempore of the Senate. The
2 reports shall be submitted not later than January 31, April 30, July
3 31 and October 31 of each year and shall include, but not be limited
4 to, the following information:

5 1. The status of the implementation of the plan of action
6 required in paragraph 2 of subsection D of Section 34.11.1 of this
7 title;

8 2. A list of information technology assets and positions
9 transferred to the Information Services Division of the Office of
10 Management and Enterprise Services pursuant to the provisions of
11 subsection C of Section 35.5 of this title;

12 3. After July 1, 2012, and until the information technology
13 consolidation is completed, an annual reduction of three percent
14 (3%) in operational information technology and telecommunications
15 expenditures realized in the aggregate by all consolidated state
16 agencies;

17 4. A list of all state agencies which are not using the shared
18 services as required in Section 35.6 of this title;

19 5. A list of all exemptions or extensions granted pursuant to
20 the provisions of Section 35.7 of this title; ~~and~~

21 6. An accounting of the open source information technology
22 assets of the state, including a description of any new open source
23 assets deployed within the previous reporting period; and

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1 7. Any other information as deemed appropriate by the Chief
2 Information Officer.

3 SECTION 3. This act shall become effective July 1, 2014.

4 SECTION 4. 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.

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