

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1003

By: Murphey

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to public finance; creating the  
10                   Transparency, Accountability and Innovation in  
11                   Oklahoma State Government 2.0 Act of 2013; amending  
12                   62 O.S. 2011, Section 34.11.2, which relates to the  
13                   Oklahoma State Government 2.0 initiative; providing  
14                   for data sets; removing convenience information sets;  
15                   requiring data sets be made available for public  
16                   access; requiring listing of individuals and  
17                   employers required to file certain reports be  
18                   available on certain portal; providing for  
19                   noncodification; providing for codification; and  
20                   providing an effective date.

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                   This act shall be known and may be cited as the "Transparency,  
25                   Accountability and Innovation in Oklahoma State Government 2.0 Act  
26                   of 2013".

1 SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.11.2, is  
2 amended to read as follows:

3 Section 34.11.2 A. There is hereby established the Oklahoma  
4 State Government 2.0 Initiative.

5 B. The State Governmental Technology Applications Review Board  
6 shall consider and approve a standardized social media policy for  
7 use by state agencies, boards, commissions and public trusts having  
8 the State of Oklahoma as a beneficiary.

9 C. The board shall establish open technology standards and a  
10 schedule by which state agencies, boards, commissions and public  
11 trusts having the State of Oklahoma as a beneficiary shall utilize  
12 these standards to provide citizens with web-based interactivity to  
13 state government services. Whenever possible these standards shall  
14 match commonly used standards by other government entities.

15 D. The board shall set a schedule by which state agencies,  
16 boards, commissions and public trusts having the State of Oklahoma  
17 as a beneficiary shall publish and update convenience information  
18 sets which shall be accessible through standardized application  
19 programming interfaces and published in standardized formats  
20 including but not limited to eXtensible Markup Language (XML) and  
21 Comma Separated Value (CSV) formats. The board shall establish  
22 application programming interface standards which enable access to  
23 ~~convenience information~~ data sets. The schedule shall place an  
24

1 emphasis on first making accessible ~~convenience information~~ data  
2 sets most commonly requested in open records requests. A directory  
3 and link to all available ~~convenience information~~ data sets shall be  
4 prominently featured on the portal system referenced in Section  
5 34.24 of this title and ~~if possible linked to~~ made available through  
6 the *data.ok.gov* web portal.

7 E. The board may conduct events and contests to provide  
8 recognition of software application development provided that the  
9 application being recognized utilizes standards established in this  
10 section to the benefit of the citizens of Oklahoma.

11 F. The board shall establish an application process through  
12 which applicants can request the scheduled implementation of  
13 application programming interfaces, creation of open technology  
14 standards and publication of ~~convenience information~~ data sets  
15 pursuant to the provisions of this section. Instructions regarding  
16 the application process shall be prominently featured on the portal  
17 system referenced in Section 34.24 of this title.

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

21 H. The board shall implement standardized policies by which  
22 state agencies may accept terms of service related to liability  
23 issues for the usage of social media services, contracts for  
24

1 technology products and technology service contracts provided the  
2 liability clause in the terms of service or contract contains  
3 standard language including a liability agreement which is  
4 considered customary or largely similar to terms of service agreed  
5 to or contracts entered into by other government entities and  
6 private sector enterprises.

7 I. The board shall promulgate performance metrics and  
8 guidelines which shall be used to establish criteria which govern  
9 participation in the "State Government Employee Performance  
10 Transparency Pilot Program". The board shall set a schedule for the  
11 ~~publication of performance information metrics through the~~  
12 ~~"data.ok.gov"~~ website.

13 J. For the purposes of this section, "open technology  
14 standards" are widely accepted standards and mechanisms for the web-  
15 based connectivity and asynchronous communication between software  
16 programs. "Application programming interface" is a standardized  
17 interface enabling a standard form of connectivity between  
18 convenience information sets and software programs, and "performance  
19 information metrics" are sets of information which reflect the  
20 performance of state employees and state agencies, ~~and "convenience~~  
21 ~~information sets" are.~~ For purposes of this section, "data sets"  
22 shall mean sets of information which are subject to public access  
23  
24

1 under the Oklahoma Open Records Act ~~and which do not contain~~  
2 ~~personally identifiable information.~~

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 34.11.2.1 of Title 62, unless  
5 there is created a duplication in numbering, reads as follows:

6 A. The Chief Information Officer shall cause the following data  
7 sets to be made available for public access through the *data.ok.gov*  
8 portal:

9 1. A month-to-month accounting of each fund and account in which  
10 state moneys are kept. This data set shall include the name of the  
11 fund, state agency which utilizes the fund and the amount of  
12 expenditures from the fund occurring in each month.

13 2. A listing of exception requests from mandatory statewide  
14 purchasing contracts, disposition of each exception request, state  
15 agency requesting the exception and identification of the contract  
16 and specific item for which the exception was requested;

17 3. A list of total monthly expenditures by each state agency;  
18 and

19 4. Other items as may be required by state law.

20 B. The *data.ok.gov* portal shall feature a complete listing of  
21 individuals and their principal employers required to file reports  
22 with the state pursuant to Section 257:23-1-2 of Title 74 of the  
23 Oklahoma Statutes.

24

1 SECTION 4. This act shall become effective November 1, 2013.

2  
3 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated  
4 02/25/2013 - DO PASS, As Amended.  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24