

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1453

By: Brumbaugh

AS INTRODUCED

An Act relating to public finance; amending 62 O.S. 2011, Section 34.11.3, which relates to Oklahoma State Government Open Documents Initiative; requiring publication list of certain agencies on website; requiring Attorney General to take certain action; amending 65 O.S. 2011, Section 3-114, as amended by Section 26, Chapter 358, O.S.L. 2013 (65 O.S. Supp. 2014, Section 3-114), which relates to the Department of Libraries; requiring certain entities publish certain information on website; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.11.3, is amended to read as follows:

Section 34.11.3 A. There is hereby established the "Oklahoma State Government Open Documents Initiative".

B. The Chief Information Officer shall develop and maintain an online web presence at the web address "~~documents.ok.gov~~" documents.ok.gov. The site shall allow public access to electronic documents described in this section. The site shall include

1 functionality allowing site visitors to search the documents by  
2 term.

3 C. The Chief Information Officer shall promulgate procedures by  
4 which each state agency, board, commission, and public trust having  
5 the State of Oklahoma as a beneficiary shall submit a searchable  
6 electronic version of each publication to the ~~"documents.ok.gov"~~  
7 documents.ok.gov website. The procedures shall require submission  
8 to the site of all publications otherwise required by law to be  
9 submitted to either the Publications Clearinghouse of the Department  
10 of Libraries, the Governor, the Speaker of the House of  
11 Representatives or the President Pro Tempore of the Senate. The  
12 procedures shall require the electronic documents to be provided in  
13 an indexed format which enables the document to be searched by  
14 specific term.

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

18 E. Not less than twice a year, the Director of the Department  
19 of Libraries and the Chief Information Officer shall cause to be  
20 published, and made available through documents.ok.gov, a listing of  
21 each agency failing to provide publications pursuant to subsection C  
22 of this section to the documents.ok.gov web portal. Following  
23 publication of the report, the Attorney General shall immediately  
24 institute mandamus proceedings to secure compliance by each agency.

1 SECTION 2. AMENDATORY 65 O.S. 2011, Section 3-114, as  
2 amended by Section 26, Chapter 358, O.S.L. 2013 (65 O.S. Supp. 2014,  
3 Section 3-114), is amended to read as follows:

4 Section 3-114. A. Every agency except institutions of higher  
5 education, but specifically including any board of regents for  
6 higher education, which issues a state publication shall immediately  
7 file the publication electronically, in compliance with the  
8 provision of any applicable section of Title 62 of the Oklahoma  
9 Statutes that is related to submission of state publications. If a  
10 state publication cannot be filed electronically, a maximum of  
11 twenty-five copies shall be deposited with the Publications  
12 Clearinghouse in lieu of the electronic filing and the agency shall  
13 include an explanation of the reason the document cannot be filed  
14 electronically.

15 B. Upon failure of an agency to comply with the provisions of  
16 this section, or the provisions of Section 34.11.3 of Title 62 of  
17 the Oklahoma Statutes, the Director of the Department of Libraries  
18 shall forward a written notice of the failure to the chief  
19 administrative officer of the agency. The notice shall state a  
20 reasonable time, not to exceed thirty (30) days, in which the agency  
21 shall fully comply. Further failure to comply shall be reported in  
22 writing to the Speaker of the House of Representatives, the  
23 President Pro Tempore of the Senate, and the Attorney General. The  
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1 Attorney General shall immediately institute mandamus proceedings to  
2 secure compliance by the agency.

3 C. Not less than twice a year, the Director of the Department  
4 of Libraries shall cause to be published, and made available through  
5 documents.ok.gov, a numeric compilation of each submission by an  
6 agency to the Publications Clearinghouse, documents.ok.gov and  
7 forms.ok.gov. In addition, a listing of each agency receiving a  
8 notice of failure shall also be published and featured prominently  
9 on the documents.ok.gov web portal.

10 SECTION 3. This act shall become effective November 1, 2015.

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