

**SENATE FLOOR VERSION**

April 7, 2011

As Amended

ENGROSSED HOUSE

BILL NO. 1304

By: Derby of the House

and

Jolley and Brinkley of the  
Senate

[ technology - transfer of state agency information to Information Services Division of the Office of State Finance - codification - noncodification ]

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

SECTION 1. NEW LAW A new section of law to be codified

in the Oklahoma Statutes as Section 34.11.3 of Title 62, unless

there is created a duplication in numbering, reads as follows:

A. On the effective date of this act, all information

technology assets of all appropriated state agencies shall be

transferred to the Information Services Division of the Office of

State Finance and the Chief Information Officer, including all

furniture, equipment, vehicles, supplies, records, current and

future liabilities, fund balances, encumbrances, obligations, and

indebtedness associated with the information technology assets

1       B. All employees of each appropriated state agency with job  
2 titles and duties that fall within the information technology  
3 occupational group on the effective date of this act, including  
4 related liabilities for sick leave, annual leave, holidays,  
5 unemployment benefits, and workers' compensation benefits accruing  
6 prior to the effective date of this act, to these personnel shall be  
7 transferred to the Information Services Division of the Office of  
8 State Finance as of the effective date of this act. It is the  
9 intent of the Legislature that, to the extent possible, the  
10 Information Services Division of the Office of State Finance ensures  
11 that the employees retain pay and benefits, as much as possible,  
12 including longevity, dependent insurance benefits, seniority,  
13 rights, and other privileges or benefits.

14       C. Appropriate conveyances and other documents shall be  
15 executed by January 1, 2012, to effectuate the transfer of the  
16 information technology assets owned by each appropriated state  
17 agency to the Information Services Division of the Office of State  
18 Finance.

19       D. Any monies from appropriations, fees, licenses, or other  
20 similar types of monies that are for the operations and maintenance  
21 of information technology assets that are transferred as provided  
22 for in subsection A of this section and accrue in any funds or  
23 accounts before the effective date of this act, in the name of or  
24 maintained for the benefit of any appropriated state agency are

1 transferred to the Information Services Division of the Office of  
2 State Finance.

3       E. The State Auditor and Inspector shall determine the amount  
4 of funds from available budgetary resources from each appropriated  
5 state agency, including any appropriated funds, revolving funds, or  
6 sinking funds, that should be transferred by the effective date of  
7 this act, to the Information Services Division of the Office of  
8 State Finance pursuant to this section for continued operation of  
9 transferred assets and for management of the transferred employees,  
10 and shall determine the amount of funds that should be reserved to  
11 each appropriated state agency for payment of obligations incurred  
12 prior to the effective date of this act. The State Auditor shall  
13 consider relevant funding and expenditure history, projected  
14 expenditures and expenses and available budgetary resources in  
15 determining the amount to be transferred. The Director of the  
16 Office of State Finance is authorized and directed to coordinate and  
17 administer the funds transfer. From the effective date of this act,  
18 each appropriated state agency shall not spend or encumber more than  
19 the funds budgeted for information technology assets and employees  
20 without approval of the State Auditor and Inspector. Any  
21 extraordinary costs incurred by the State Auditor in performing the  
22 review may be subtracted from the amounts transferred on the  
23 effective date of this act, to the Information Services Division of  
24 the Office of State Finance.

1       F. The Information Services Division of the Office of State  
2 Finance shall succeed to any contractual rights, easement rights,  
3 lease rights, and responsibilities related to the information  
4 technology assets that are transferred as provided for in subsection  
5 A of this section and incurred by an appropriated state agency.

6       G. The provisions of this section shall not apply to  
7 nonappropriated state agencies.

8       H. For purposes of this section:

9       1. "Appropriated state agency" means any office, officer,  
10 bureau, board, commission, counsel, unit, division, body, authority  
11 or institution of the executive branch of state government, whether  
12 elected or appointed, that receives funding through the annual  
13 legislative appropriations process. The term appropriated state  
14 agency shall not include institutions within The Oklahoma State  
15 System of Higher Education, the Oklahoma State Regents for Higher  
16 Education, and the telecommunications network known as OneNet;

17       2. "Nonappropriated state agency" means any office, officer,  
18 bureau, board, commission, counsel, unit, division, body, authority  
19 or institution of the executive branch of state government, whether  
20 elected or appointed, that does not receive funding through the  
21 annual legislative appropriations process; and

22       3. "Information technology assets" means any equipment or  
23 interconnected system or subsystem of equipment that is used in the  
24 acquisition, storage, manipulation, management, movement, control,

1 display, switching, interchange, transmission, or reception of data  
2 or information. The term shall include computers, ancillary  
3 equipment, software, firmware and similar procedures, services,  
4 including support services and consulting services, software  
5 development, and related resources.

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 34.11.4 of Title 62, unless  
8 there is created a duplication in numbering, reads as follows:

9 A. On the effective date of this act, all appropriated and  
10 nonappropriated state agencies shall be required to use the  
11 following information technology services and systems operated and  
12 maintained by the Office of State Finance for all agency functions:

- 13 1. Data Service Center of the Divisions;
- 14 2. Networking services;
- 15 3. Communication or intercommunication systems;
- 16 4. Electronic mail systems; and
- 17 5. Data and network security systems.

18 B. On the effective date of this act, all appropriated and  
19 nonappropriated state agencies shall be required to exclusively use  
20 the following programs, services, software and processes provided  
21 through the Integrated Central Financial System known as CORE and as  
22 implemented by the Office of State Finance and shall not utilize any  
23 programs, services, software or processes that are duplicative of  
24 the following:

1       1. Payroll;  
2       2. Employee leave system;  
3       3. Human resources;  
4       4. Accounts receivable;  
5       5. Accounts payable;  
6       6. Purchasing system;  
7       7. Budgeting system;  
8       8. Enterprise Learning Management (ELM);  
9       9. Budget request system;  
10      10. Asset management; and  
11      11. Project grants and contracts, which includes federal  
12      billing.

13      C. The Chief Information Officer shall have the authority to  
14      enforce the provisions of this section.

15      D. For purposes of this section, "appropriated state agency"  
16      and "nonappropriated state agency" shall be defined the same as  
17      provided for in Section 1 of this act.

18      SECTION 3.        NEW LAW        A new section of law not to be  
19      codified in the Oklahoma Statutes reads as follows:

20      A. Beginning on the effective date of this act and until July  
21      1, 2011, no state agency shall expend or encumber any funds for the  
22      purchase, lease, lease-purchase, lease with option to purchase,  
23      rental or to otherwise procure any information technology assets,  
24      without the prior written approval of the Chief Information Officer.

1       B. Beginning on the effective date of this act and until July  
2       1, 2011, no state agency shall initiate or implement an information  
3       technology planned project without the prior written approval of the  
4       Chief Information Officer. A planned project shall include any  
5       major project or objective included in the operations plan submitted  
6       by the agency to the Information Services Division of the Office of  
7       State Finance as required pursuant to Section 34.16 of Title 62 of  
8       the Oklahoma Statutes.

9       C. "Information technology assets" means any equipment or  
10      interconnected system or subsystem of equipment that is used in the  
11      acquisition, storage, manipulation, management, movement, control,  
12      display, switching, interchange, transmission, or reception of data  
13      or information. The term shall include computers, ancillary  
14      equipment, software, firmware and similar procedures, services,  
15      including support services and consulting services, software  
16      development, and related resources.

17      COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-6-11 - DO  
18      PASS, As Amended.

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