

1 ENGROSSED SENATE
2 BILL NO. 1709

By: Pugh of the Senate

3 and

4 Osburn of the House

5
6
7 An Act relating to the Information Technology
8 Consolidation and Coordination Act; amending 62 O.S.
9 2011, Section 35.7, as amended by Section 416,
10 Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2019, Section
11 35.7), which relates to exemptions and extensions;
12 providing exemption for certain state agencies if
13 certain condition is met; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 62 O.S. 2011, Section 35.7, as
17 amended by Section 416, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
18 2019, Section 35.7), is amended to read as follows:

19 Section 35.7. A. A state agency may apply to the Chief
20 Information Officer for an exemption from any provisions of the
21 Information Technology Consolidation and Coordination Act or for an
22 extension of any deadline specified in the ~~Act~~ Information
23 Technology Consolidation and Coordination Act, if it determines that
24 compliance with the provisions of the ~~Act~~ Information Technology
Consolidation and Coordination Act would:

1 1. Cause it to be in violation of federal law or regulations or
2 in violation of any provision of the Oklahoma Constitution or
3 statutes;

4 2. Result in a loss of federal funds to the state; or

5 3. Create an impediment to the performance of a unique agency
6 function that is not duplicated by another state agency and is
7 required by the Oklahoma Statutes or Constitution or by federal law.

8 B. Any state agency applying for an exemption or extension
9 pursuant to this section shall provide written documentation of the
10 circumstances to the Chief Information Officer. After reviewing the
11 documentation, the Chief Information Officer shall grant or deny the
12 application. If the state agency disputes the decision of the Chief
13 Information Officer, the Director of the Office of Management and
14 Enterprise Services shall make the final determination as to whether
15 the exemption or extension will be granted.

16 C. The following agencies shall be exempt from the application
17 provisions of subsections A and B of this section and the provisions
18 of the Information Technology Consolidation and Coordination Act;
19 provided, that the agency can demonstrate to the Chief Information
20 Officer that cost savings can be achieved:

21 1. The Alcoholic Beverage Laws Enforcement Commission;

22 2. The Department of Corrections;

23 3. The Oklahoma State Bureau of Investigation;

24 4. The Council on Law Enforcement Education and Training;

5. The Board of Medicolegal Investigations;

6. The Oklahoma State Bureau of Narcotics and Dangerous Drugs

Control;

7. The Department of Public Safety;

8. The Office of the Attorney General;

9. The District Attorneys Council;

10. The Oklahoma Indigent Defense System; and

11. The Pardon and Parole Board.

SECTION 2. This act shall become effective November 1, 2020.

Passed the Senate the 11th day of March, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the _____ day of _____,

2020.

Presiding Officer of the House
of Representatives