

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1285

By: Stanislawski

AS INTRODUCED

An Act relating to the Office of Management and Enterprise Services; amending 62 O.S. 2011, Section 34.11.2, as amended by Section 7, Chapter 358, O.S.L. 2013 (62 O.S. Supp. 2019, Section 34.11.2), which relates to the Oklahoma State Government 2.0 Initiative; deleting requirement for establishment of open technology standards; deleting requirement for establishment of certain schedule; deleting requirement for establishment of certain application process; deleting requirement that state agencies, boards and commissions comply with certain provisions; deleting requirement for promulgation of performance information metrics; deleting definitions; amending 62 O.S. 2011, Section 34.11.7, as last amended by Section 1, Chapter 204, O.S.L. 2019 (62 O.S. Supp. 2019, Section 34.11.7), which relates to performance reporting metrics; modifying method by which reports shall be published; eliminating requirement for the Oklahoma Healthcare Authority to authorize telework pilot program; amending 62 O.S. 2011, Section 34.11.9, as last amended by Section 9, Chapter 358, O.S.L. 2013 (62 O.S. Supp. 2019, Section 34.11.9), which relates to the Oklahoma State Government Business Licensing One-Stop Program; deleting requirement to offer real-time licensing and permitting services; deleting requirement for transfer of certain assets and personnel; amending 62 O.S. 2011, Section 34.24.1, as last amended by Section 15, Chapter 358, O.S.L. 2013 (62 O.S. Supp. 2019, Section 34.24.1), which relates to portal system for license application; modifying statutory reference; amending 62 O.S. 2011, Section 34.27, as last amended by Section 17, Chapter 358, O.S.L. 2013 (62 O.S. Supp. 2019, Section 34.27), which relates to the State Government Technology Applications Review Board; clarifying language relating to portal systems; modifying statutory

1 reference; deleting exemption; deleting requirement
2 for oversight and implementation of certain plan;
3 deleting requirement for approval of certain plan;
4 amending 62 O.S. 2011, Section 35.8, as last amended
5 by Section 24, Chapter 358, O.S.L. 2013 (62 O.S.
6 Supp. 2019, Section 35.8), which relates to security
7 standards; deleting requirement for approval of
8 certain security protocols; amending 74 O.S. 2011,
9 Section 61.7, as renumbered by Section 17, Chapter
10 209, O.S.L. 2013, and as last amended by Section 1,
11 Chapter 128, O.S.L. 2015 (62 O.S. Supp. 2019, Section
12 908), which relates to the Oklahoma State Government
13 Asset Reduction and Cost Savings Program; deleting
14 requirement that certain information be made
15 available on website; amending 62 O.S. 2011, Section
16 34.11.1, as last amended by Section 2, Chapter 384,
17 O.S.L. 2017 (62 O.S. Supp. 2019, Section 34.11.1),
18 which relates to the Chief Information Officer;
19 deleting requirement for issuance of report on
20 certain plan; deleting requirement for oversight of
21 certain plan; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.11.2, as amended by Section 7, Chapter 358, O.S.L. 2013 (62 O.S. Supp. 2019, Section 34.11.2), is amended to read as follows:

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

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

1 ~~C. The board shall establish open technology standards and a~~
2 ~~schedule by which state agencies, boards, commissions and public~~
3 ~~trusts having the State of Oklahoma as a beneficiary shall utilize~~
4 ~~these standards to provide citizens with web based interactivity to~~
5 ~~state government services. Whenever possible these standards shall~~
6 ~~match commonly used standards by other government entities.~~

7 ~~D. The board shall set a schedule by which state agencies,~~
8 ~~boards, commissions and public trusts having the State of Oklahoma~~
9 ~~as a beneficiary shall publish and update convenience information~~
10 ~~sets which shall be accessible through standardized application~~
11 ~~programming interfaces and published in standardized formats~~
12 ~~including but not limited to eXtensible Markup Language (XML) and~~
13 ~~Comma Separated Value (CSV) formats. The board shall establish~~
14 ~~application programming interface standards which enable access to~~
15 ~~convenience information sets. The schedule shall place an emphasis~~
16 ~~on first making accessible convenience information sets most~~
17 ~~commonly requested in open records requests. A directory and link~~
18 ~~to all available convenience information sets shall be prominently~~
19 ~~featured on the portal system referenced in Section 34.24 of this~~
20 ~~title and if possible linked to the data.ok.gov web portal.~~

21 ~~E. The board may conduct events and contests to provide~~
22 ~~recognition of software application development provided that the~~
23 ~~application being recognized utilizes standards established in this~~
24 ~~section to the benefit of the citizens of Oklahoma.~~

1 ~~F. The board shall establish an application process through~~
2 ~~which applicants can request the scheduled implementation of~~
3 ~~application programming interfaces, creation of open technology~~
4 ~~standards and publication of convenience information sets pursuant~~
5 ~~to the provisions of this section. Instructions regarding the~~
6 ~~application process shall be prominently featured on the portal~~
7 ~~system referenced in Section 34.24 of this title.~~

8 ~~G. State agencies, boards, commissions and public trusts having~~
9 ~~the State of Oklahoma as a beneficiary shall comply with the~~
10 ~~policies, schedules and standards established by this section.~~

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

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

1 ~~information sets" are sets of information which are subject to~~
2 ~~public access under the Oklahoma Open Records Act and which do not~~
3 ~~contain personally identifiable information.~~

4 SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.11.7, as
5 last amended by Section 1, Chapter 204, O.S.L. 2019 (62 O.S. Supp.
6 2019, Section 34.11.7), is amended to read as follows:

7 Section 34.11.7. A. 1. The State Governmental Technology
8 Applications Review Board shall establish a statewide assistance
9 program with guidelines and support to encourage all state agencies
10 in the development of a telework model designed for maximum
11 efficiency and to reduce the need for additional state office space
12 and to produce cost savings.

13 2. In establishing a statewide assistance telework program, the
14 Board, working with the Office of Management and Enterprise
15 Services, shall:

- 16 a. provide policies and guidance for telework in the
17 areas of pay and leave, performance management,
18 official worksite, recruitment and retention and
19 accommodation for employees with disabilities,
- 20 b. assist each state agency in establishing qualitative
21 and quantitative measures and telework goals,
- 22 c. provide guidance to ensure the adequacy of information
23 and security protections for information and
24 information systems while teleworking to:

- 1 (1) control access to agency information and
- 2 information systems,
- 3 (2) protect agency information and information
- 4 systems,
- 5 (3) protect information systems not under the control
- 6 of the state agency that are used for telework,
- 7 (4) limit the introduction of vulnerabilities, and
- 8 (5) safeguard wireless and other telecommunications
- 9 capabilities, and

10 d. maintain a central telework website including:

- 11 (1) telework links,
- 12 (2) announcements,
- 13 (3) guidance developed by the Board and the Office of
- 14 Management and Enterprise Services, and
- 15 (4) documents to be used by staff, managers and human
- 16 resource professionals.

17 B. The State Governmental Technology Applications Review Board
18 shall establish performance reporting metrics for each state
19 employee who begins participating in telework following July 1,
20 2012. These reports shall be published ~~through the data.ok.gov~~
21 ~~website~~ as a data feed.

22 C. ~~The Oklahoma Healthcare Authority shall authorize one~~
23 ~~division of employees to participate in a telework pilot program~~
24 ~~pursuant to the terms of this section.~~

1 ~~D.~~ For the purposes of this section, "performance reporting
2 metrics" shall mean a set of criteria which demonstrates the
3 quantity and quality of work. "Telework" shall mean work which is
4 performed outside of the traditional on-site work environment.

5 SECTION 3. AMENDATORY 62 O.S. 2011, Section 34.11.9, as
6 last amended by Section 9, Chapter 358, O.S.L. 2013 (62 O.S. Supp.
7 2019, Section 34.11.9), is amended to read as follows:

8 Section 34.11.9. A. There is hereby established the Oklahoma
9 State Government Business Licensing One-Stop Program.

10 B. The Chief Information Officer shall promulgate procedures by
11 which state agencies shall enter into an arrangement with the Office
12 of Management and Enterprise Services for the provision of a real-
13 time licensing and permitting one-stop web-based offering.

14 C. ~~Real time licensing and permitting services shall be made~~
15 ~~available to the public through the website Business.ok.gov and~~
16 ~~shall be offered through the 2nd Century Entrepreneurship Center~~
17 ~~business licensing framework.~~

18 ~~D. The 2nd Century Entrepreneurship Center and all~~
19 ~~corresponding assets and personnel are hereby transferred from the~~
20 ~~Oklahoma Department of Commerce to the Information Services Division~~
21 ~~of the Office of Management and Enterprise Services.~~

22 ~~E.~~ The Chief Information Officer may grant an exemption from
23 the requirements of this section to state agencies which offer
24 licensing and permitting procedures requiring documentation that

1 cannot be provided through a web-based portal. Exemptions shall be
2 limited to individual licensing processes, shall not be granted on
3 an agency-by-agency basis and shall be reported according to the
4 requirements of subsection ~~D~~ C of Section 34.24.1 of this title.
5 Each exemption shall be renewed on an annual basis.

6 ~~F.~~ D. State agencies shall comply with procedures promulgated
7 pursuant to the terms of this section.

8 SECTION 4. AMENDATORY 62 O.S. 2011, Section 34.24.1, as
9 last amended by Section 15, Chapter 358, O.S.L. 2013 (62 O.S. Supp.
10 2019, Section 34.24.1), is amended to read as follows:

11 Section 34.24.1. A. Unless exempted pursuant to Section ~~34.27~~
12 34.11.9 of this title, each state agency, board, commission or other
13 entity organized within the executive department of state government
14 responsible for licensing or permitting shall utilize the portal
15 system to allow for a link to a web-based application and renewal
16 application for any license or permit issued by that agency. Access
17 to the online renewal systems shall be featured prominently on the
18 portal system.

19 B. Each entity responsible for licensing or permitting shall
20 make available to the Office of Management and Enterprise Services
21 on a yearly basis a report describing the number of licenses issued,
22 license renewals and permits issued as well as an estimate of the
23 amount of savings incurred by the entity as a result of the online
24 licensing and permitting process.

1 C. The Office of Management and Enterprise Services shall make
2 available to the public a copy of each report submitted in
3 accordance with the requirements of subsection B of this section by
4 placing the report on the website defined in Section 46 of this
5 title.

6 D. The state agencies may accept an electronic signature in the
7 application process for any license or permit; provided, the use of
8 an electronic signature shall not create a significant risk to the
9 integrity of the license or permit.

10 E. Nothing in this section shall apply to driver license
11 renewal applications.

12 SECTION 5. AMENDATORY 62 O.S. 2011, Section 34.27, as
13 last amended by Section 17, Chapter 358, O.S.L. 2013 (62 O.S. Supp.
14 2019, Section 34.27), is amended to read as follows:

15 Section 34.27. A. There is hereby established the State
16 Governmental Technology Applications Review Board. The Board shall
17 be composed of the following members:

18 1. The Director of the Office of Management and Enterprise
19 Services or a designee;

20 2. Four representatives from different state agencies, boards,
21 commissions, or authorities to be appointed by the Governor, at
22 least one of which shall be employed by a law enforcement agency;

23 3. Two members who are not state government employees to be
24 appointed by the Speaker of the House of Representatives; and

1 4. Two members who are not state government employees to be
2 appointed by the President Pro Tempore of the Senate.

3 B. Members of the Board shall serve for terms of two (2) years.
4 The Board shall select a chair from among its members.

5 C. Members of the Board shall not receive compensation for
6 serving on the Board, but shall be reimbursed for travel expenses
7 incurred in the performance of their duties by their respective
8 agencies or appointing authority in accordance with the State Travel
9 Reimbursement Act.

10 D. Notwithstanding any other section of law, any member of the
11 Board attending a meeting via teleconference shall be counted as
12 being present in person and shall count toward the determination of
13 whether a quorum of the Board is present at the meeting.

14 E. The Board shall have the duty and responsibility of:

15 1. Reviewing for approval all convenience fees and merchant
16 fees as defined in Section 34.25 of this title and changes in
17 convenience fees and merchant fees charged by state agencies,
18 boards, commissions, or authorities;

19 2. Monitoring all portal systems and applications for portal
20 systems created by state agencies, boards, commissions, or
21 authorities, reviewing portal systems exemption applications
22 approved or denied by the Information Services Division of the
23 Office of Management and Enterprise Services pursuant to Section
24 34.21.1 of this title, and making recommendations to the Legislature

1 and Governor to encourage greater use of ~~the open-systems concept as~~
2 ~~is defined in Section 34.26 of this title~~ portal systems;

3 ~~3. Granting an exemption for a specific license or permit to a~~
4 ~~state agency from the requirements of Section 34.24.1 of this title.~~
5 ~~The exemption shall be limited in time as warranted by the~~
6 ~~circumstances. The Board shall grant the exemption only if~~
7 ~~presented compelling evidence that the issuance of the license or~~
8 ~~permit requires the provision of information that cannot be provided~~
9 ~~through an online licensing or permitting process and that the~~
10 ~~failure of the applicant to provide the information would create a~~
11 ~~significant risk to the integrity of the license or permit. The~~
12 ~~exemption provided for in this paragraph shall not apply to license~~
13 ~~renewals pursuant to the Oklahoma Vehicle License and Registration~~
14 ~~Act;~~

15 ~~4. Providing ongoing oversight of implementation of the plan of~~
16 ~~action developed by the Chief Information Officer pursuant to~~
17 ~~Section 34.11.1 of this title and approving any amendments to the~~
18 ~~plan of action;~~

19 ~~5. Approving charges to state agencies established by the~~
20 ~~Information Services Division pursuant to Section 35.5 of this title~~
21 ~~for shared services as defined in Section 35.3 of this title; and~~

22 ~~6. 4. Functioning in an advisory capacity to the Chief~~
23 ~~Information Officer;~~ ~~and~~

1 ~~7. Approving a plan by which public elementary and secondary~~
2 ~~schools of the state may recover the cost of instructional~~
3 ~~technology resources issued by the schools.~~

4 SECTION 6. AMENDATORY 62 O.S. 2011, Section 35.8, as
5 last amended by Section 24, Chapter 358, O.S.L. 2013 (62 O.S. Supp.
6 2019, Section 35.8), is amended to read as follows:

7 Section 35.8. A. Notwithstanding any other provision of law,
8 the provisions of the Information Technology Consolidation and
9 Coordination Act shall operate to maintain or increase security
10 standards and shall not jeopardize confidentiality or compliance
11 with state or federal laws or regulations. ~~The State Governmental~~
12 ~~Technology Applications Review Board shall consider and approve~~
13 ~~security protocols which shall be followed by employees of the~~
14 ~~Information Services Division of the Office of Management and~~
15 ~~Enterprise Services who are assigned to service law enforcement~~
16 ~~agencies. The Board shall make recommendations to state officers~~
17 ~~and employees related to continuity of criminal justice information~~
18 ~~system security protocols.~~

19 B. Notwithstanding the provisions of Section 35.5 of this
20 title, the transfer of information technology assets and positions
21 of the Department of Public Safety shall occur prior to the transfer
22 of assets and positions of other public safety agencies.

23 C. Unless otherwise provided for in law, the transfer of
24 information technology assets and positions of any state agency

1 pursuant to the Information Technology Consolidation and
2 Coordination Act shall not act to transfer to the Information
3 Services Division of the Office of Management and Enterprise
4 Services or to the Chief Information Officer the duties of a state
5 agency to keep, maintain and open to any person all records of the
6 agency in compliance with the Oklahoma Open Records Act. Each state
7 agency shall continue to be responsible for records created by,
8 received by, under the authority of, or coming into the custody,
9 control or possession of the agency including the duty to organize
10 and categorize the records in a retrievable form and the duty to
11 respond to requests for records, even if the records have been
12 transmitted to or stored by the Information Services Division of the
13 Office of Management and Enterprise Services ~~or the Chief~~
14 ~~Information Officer.~~

15 D. State employees who are members of the Teachers' Retirement
16 System of Oklahoma and are transferred pursuant to the Information
17 Technology Consolidation and Coordination Act may elect to continue
18 their participation in the Teachers' Retirement System of Oklahoma
19 in lieu of participating in the Oklahoma Public Employees Retirement
20 System. Any transferred employee who wishes to make such election
21 shall do so in writing within thirty (30) days of ~~the effective date~~
22 ~~of this act~~ August 24, 2012. If any transferred employee has
23 already started participating in the Oklahoma Public Employees
24 Retirement System, the employee may make an election to return to

1 the Teachers' Retirement System of Oklahoma if the election is made
2 in writing within thirty (30) days of ~~the effective date of this act~~
3 August 24, 2012. In the event a transferred employee who has
4 already begun participating in the Oklahoma Public Employees
5 Retirement System elects to return to the Teachers' Retirement
6 System of Oklahoma, the Oklahoma Public Employees Retirement System
7 shall transfer the service credit and contributions to the Teachers'
8 Retirement System of Oklahoma for any credit that accrued after the
9 initial transfer. The election to continue or return to
10 participation in the Teachers' Retirement System of Oklahoma
11 pursuant to this subsection shall be irrevocable and shall be
12 effective until the employment with the Office of Management and
13 Enterprise Services is terminated.

14 SECTION 7. AMENDATORY 74 O.S. 2011, Section 61.7, as
15 renumbered by Section 17, Chapter 209, O.S.L. 2013, and as last
16 amended by Section 1, Chapter 128, O.S.L. 2015 (62 O.S. Supp. 2019,
17 Section 908), is amended to read as follows:

18 Section 908. A. There is hereby established the Oklahoma State
19 Government Asset Reduction and Cost Savings Program.

20 B. No later than December 31 each year, the Director of the
21 Office of Management and Enterprise Services shall publish a
22 comprehensive report detailing state-owned properties.

23 C. The report mandated in accordance with the provisions of
24 this section shall list the five percent (5%) most underutilized
25

1 state-owned properties. The report shall describe the value of
2 properties falling within the description in this subsection, assess
3 the potential for purchase should the properties be offered for sale
4 and describe the impact on local-level tax rolls in the event the
5 properties are purchased by a nongovernmental entity.

6 D. The Director of the Office of Management and Enterprise
7 Services shall promulgate rules establishing procedures by which
8 each state agency, board, commission and public trust having the
9 State of Oklahoma as a beneficiary, excluding those otherwise
10 exempted under Section 327 of Title 61 of the Oklahoma Statutes,
11 shall submit the necessary data to the Office of Management and
12 Enterprise Services for the development of this report.

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

16 F. The report and data collected pursuant to this section shall
17 be published as a data feed ~~on the data.ok.gov website.~~

18 G. In addition to the requirements of subsection C of this
19 section, the Office of Management and Enterprise Services may make
20 recommendations for the sale of other state-owned properties based
21 upon the value of the property and the potential for net gain for
22 the state based upon the data obtained for the Oklahoma State
23 Government Asset Reduction and Cost Savings Program.

1 H. There is hereby created the Maintenance of State Buildings
2 Revolving Fund. The fund shall be a continuing fund, not subject to
3 fiscal year limitations and shall serve as the depository for
4 proceeds from the sale of state-owned properties pursuant to the
5 Oklahoma State Government Asset Reduction and Cost Savings Program.
6 The fund shall further consist of monies appropriated thereto and
7 other funds designated for deposit therein. All monies accruing to
8 the credit of the fund are hereby appropriated and may be expended
9 exclusively for maintaining and repairing state-owned properties and
10 buildings pursuant to the procedures set forth in Section 901.1 of
11 Title 62 of the Oklahoma Statutes and for acquisition of information
12 technology tools or resources that state agencies, boards,
13 commissions and public trusts having the State of Oklahoma as a
14 beneficiary shall use in carrying out their obligations in
15 accordance with this ~~act~~ section. The total expenditure for
16 information technology resources shall not exceed One Hundred
17 Thousand Dollars (\$100,000.00). Expenditures from the fund shall be
18 made upon warrants issued by the State Treasurer against claims
19 filed as prescribed by law with the Director of the Office of
20 Management and Enterprise Services for approval and payment.
21 Expenditures from the Maintenance of State Buildings Revolving Fund
22 shall be detailed in a data feed ~~and made available through the~~
23 ~~data.ok.gov web portal.~~

1 I. The Director of the Office of Management and Enterprise
2 Services shall notify entities found by the Office to be out of
3 compliance with the reporting provisions of this section in writing.

4 J. This section shall not be applicable to the following or
5 their lands, properties, buildings, funds or revenue:

6 1. The Oklahoma Ordnance Works Authority; and

7 2. The Commissioners of the Land Office.

8 K. The report required in subsection B of this section shall
9 include an indication of whether a property is owned by the Oklahoma
10 Historical Society, is listed on the National Register of Historic
11 Places or with the National Trust for Historic Preservation, or is
12 potentially of historical significance. The Office of Management
13 and Enterprise Services shall notify the Oklahoma Historical Society
14 and obtain its approval prior to the sale of any such property.

15 SECTION 8. AMENDATORY 62 O.S. 2011, Section 34.11.1, as
16 last amended by Section 2, Chapter 384, O.S.L. 2017 (62 O.S. Supp.
17 2019, Section 34.11.1), is amended to read as follows:

18 Section 34.11.1. A. There is hereby created the position of
19 Chief Information Officer who shall be appointed by the Governor.
20 The Chief Information Officer, in addition to having authority over
21 the Information Services Division of the Office of Management and
22 Enterprise Services, shall also serve as Secretary of Information
23 Technology and Telecommunications or successor cabinet position and
24 shall have jurisdictional areas of responsibility related to

1 information technology and telecommunications systems of all state
2 agencies as provided for in state law. The salary of the Chief
3 Information Officer shall not be less than One Hundred Thirty
4 Thousand Dollars (\$130,000.00) or more than One Hundred Sixty
5 Thousand Dollars (\$160,000.00).

6 B. Any person appointed to the position of Chief Information
7 Officer shall meet the following eligibility requirements:

8 1. A baccalaureate degree in Computer Information Systems,
9 Information Systems or Technology Management, Business
10 Administration, Finance, or other similar degree;

11 2. A minimum of ten (10) years of professional experience with
12 responsibilities for management and support of information systems
13 and information technology, including seven (7) years of direct
14 management of a major information technology operation;

15 3. Familiarity with local and wide-area network design,
16 implementation, and operation;

17 4. Experience with data and voice convergence service
18 offerings;

19 5. Experience in developing technology budgets;

20 6. Experience in developing requests for proposal and
21 administering the bid process;

22 7. Experience managing professional staff, teams, and
23 consultants;

24 8. Knowledge of telecommunications operations;

1 9. Ability to develop and set strategic direction for
2 information technology and telecommunications and to manage daily
3 development and operations functions;

4 10. An effective communicator who is able to build consensus;

5 11. Ability to analyze and resolve complex issues, both logical
6 and interpersonal;

7 12. Effective verbal and written communications skills and
8 effective presentation skills, geared toward coordination and
9 education;

10 13. Ability to negotiate and defuse conflict; and

11 14. A self-motivator, independent, cooperative, flexible and
12 creative.

13 C. The salary and any other expenses for the Chief Information
14 Officer shall be budgeted as a separate line item through the Office
15 of Management and Enterprise Services. The operating expenses of
16 the Information Services Division shall be set by the Chief
17 Information Officer and shall be budgeted as a separate line item
18 through the Office of Management and Enterprise Services. The
19 Office of Management and Enterprise Services shall provide adequate
20 office space, equipment and support necessary to enable the Chief
21 Information Officer to carry out the information technology and
22 telecommunications duties and responsibilities of the Chief
23 Information Officer and the Information Services Division.
24

1 D. ~~1.~~ Within twelve (12) months of appointment, the first
2 Chief Information Officer shall complete an assessment, which shall
3 be modified annually pursuant to Section 35.5 of this title, of the
4 implementation of the transfer, coordination, and modernization of
5 all information technology and telecommunication systems of all
6 state agencies in the state as provided for in the Oklahoma
7 Information Services Act. The assessment shall include the
8 information technology and telecommunications systems of all
9 institutions within The Oklahoma State System of Higher Education,
10 the Oklahoma State Regents for Higher Education and the
11 telecommunications network known as OneNet as assembled and
12 submitted by the Oklahoma Higher Education Chief Information
13 Officer, as designated by the Oklahoma State Regents for Higher
14 Education.

15 ~~2. Within twelve (12) months of appointment, the first Chief~~
16 ~~Information Officer shall issue a report setting out a plan of~~
17 ~~action which will include the following:~~

- 18 a. ~~define the shared service model organization structure~~
19 ~~and the reporting relationship of the recommended~~
20 ~~organization,~~
- 21 b. ~~the implementation of an information technology and~~
22 ~~telecommunications shared services model that defines~~
23 ~~the statewide infrastructure environment needed by~~
24 ~~most state agencies that is not specific to individual~~

1 ~~agencies and the shared applications that are utilized~~
2 ~~across multiple agencies,~~

3 ~~e. define the services that shall be in the shared~~
4 ~~services model under the control of the Information~~
5 ~~Services Division of the Office of Management and~~
6 ~~Enterprise Services,~~

7 ~~d. define the roadmap to implement the proposed shared~~
8 ~~services model. The roadmap shall include~~
9 ~~recommendations on the transfer, coordination, and~~
10 ~~modernization of all information technology and~~
11 ~~telecommunication systems of all the state agencies in~~
12 ~~the state,~~

13 ~~e. recommendations on the reallocation of information~~
14 ~~technology and telecommunication resources and~~
15 ~~personnel,~~

16 ~~f. a cost benefit analysis to support the recommendations~~
17 ~~on the reallocation of information technology and~~
18 ~~telecommunication resources and personnel,~~

19 ~~g. a calculation of the net savings realized through the~~
20 ~~reallocation and consolidation of information~~
21 ~~technology and telecommunication resources and~~
22 ~~personnel after compensating for the cost of~~
23 ~~contracting with a private consultant as authorized in~~
24 ~~paragraph 4 of this subsection, implementing the plan~~

1 ~~of action, and ongoing costs of the Information~~
2 ~~Services Division of the Office of Management and~~
3 ~~Enterprise Services, and~~

4 ~~h. the information required in subsection B of Section~~
5 ~~35.5 of this title.~~

6 ~~3. The plan of action report shall be presented to the~~
7 ~~Governor, Speaker of the House of Representatives, and the President~~
8 ~~Pro Tempore of the State Senate.~~

9 ~~4. The Chief Information Officer may contract with a private~~
10 ~~consultant or consultants to assist in the assessment and~~
11 ~~development of the plan of action report as required in this~~
12 ~~subsection.~~

13 E. The Chief Information Officer shall be authorized to employ
14 personnel, fix the duties and compensation of the personnel, not
15 otherwise prescribed by law, and otherwise direct the work of the
16 personnel in performing the function and accomplishing the purposes
17 of the Information Services Division of the Office of Management and
18 Enterprise Services.

19 F. The Information Services Division of the Office of
20 Management and Enterprise Services shall be responsible for the
21 following duties:

22 1. Formulate and implement the information technology strategy
23 for all state agencies;

1 2. Define, design, and implement a shared services statewide
2 infrastructure and application environment for information
3 technology and telecommunications for all state agencies;

4 3. Direct the development and operation of a scalable
5 telecommunications infrastructure that supports data and voice
6 communications reliability, integrity, and security;

7 4. Supervise the applications development process for those
8 applications that are utilized across multiple agencies;

9 5. Provide direction for the professional development of
10 information technology staff of state agencies and oversee the
11 professional development of the staff of the Information Services
12 Division of the Office of Management and Enterprise Services;

13 6. Evaluate all technology and telecommunication investment
14 choices for all state agencies;

15 7. Create a plan to ensure alignment of current systems, tools,
16 and processes with the strategic information technology plan for all
17 state agencies;

18 8. Set direction and provide oversight for the support and
19 continuous upgrading of the current information technology and
20 telecommunication infrastructure in the state in support of enhanced
21 reliability, user service levels, and security;

22 9. Direct the development, implementation, and management of
23 appropriate standards, policies and procedures to ensure the success
24 of state information technology and telecommunication initiatives;

1 10. Recruit, hire and transfer the required technical staff in
2 the Information Services Division of the Office of Management and
3 Enterprise Services to support the services provided by the Division
4 and the execution of the strategic information technology plan;

5 11. Establish, maintain, and enforce information technology and
6 telecommunication standards;

7 12. Delegate, coordinate, and review all work to ensure quality
8 and efficient operation of the Information Services Division of the
9 Office of Management and Enterprise Services;

10 13. Create and implement a communication plan that disseminates
11 pertinent information to state agencies on standards, policies,
12 procedures, service levels, project status, and other important
13 information to customers of the Information Services Division of the
14 Office of Management and Enterprise Services and provide for agency
15 feedback and performance evaluation by customers of the Division;

16 14. Develop and implement training programs for state agencies
17 using the shared services of the Information Services Division of
18 the Office of Management and Enterprise Services and recommend
19 training programs to state agencies on information technology and
20 telecommunication systems, products and procedures;

21 15. Provide counseling, performance evaluation, training,
22 motivation, discipline, and assign duties for employees of the
23 Information Services Division of the Office of Management and
24 Enterprise Services;

1 16. For all state agencies, approve the purchasing of all
2 information technology and telecommunication services and approve
3 the purchase of any information technology and telecommunication
4 product except the following:

5 a. a purchase less than or equal to Five Thousand Dollars
6 (\$5,000.00) if such product is purchased using a state
7 purchase card and the product is listed on either the
8 Approved Hardware or Approved Software list located on
9 the Office of Management and Enterprise Services
10 website, or

11 b. a purchase over Five Thousand Dollars (\$5,000.00) and
12 less than or equal to Twenty-five Thousand Dollars
13 (\$25,000.00) if such product is purchased using a
14 state purchase card, the product is listed on an
15 information technology or telecommunications statewide
16 contract, and the product is listed on either the
17 Approved Hardware or Approved Software list located on
18 the Office of Management and Enterprise Services
19 website;

20 17. Develop and enforce an overall infrastructure architecture
21 strategy and associated roadmaps for desktop, network, server,
22 storage, and statewide management systems for state agencies;

23 18. Effectively manage the design, implementation and support
24 of complex, highly available infrastructure to ensure optimal
25

1 performance, on-time delivery of features, and new products, and
2 scalable growth;

3 19. Define and implement a governance model for requesting
4 services and monitoring service level metrics for all shared
5 services; and

6 20. Create the budget for the Information Services Division of
7 the Office of Management and Enterprise Services to be submitted to
8 the Legislature each year.

9 ~~G. The State Governmental Technology Applications Review Board
10 shall provide ongoing oversight of the implementation of the plan of
11 action required in subsection D of this section. Any proposed
12 amendments to the plan of action shall be approved by the Board
13 prior to adoption.~~

14 ~~H.~~ 1. The Chief Information Officer shall act as the
15 Information Technology and Telecommunications Purchasing Director
16 for all state agencies and shall be responsible for the procurement
17 of all information technology and telecommunication software,
18 hardware, equipment, peripheral devices, maintenance, consulting
19 services, high technology systems, and other related information
20 technology, data processing, telecommunication and related
21 peripherals and services for all state agencies. The Chief
22 Information Officer shall establish, implement, and enforce policies
23 and procedures for the procurement of information technology and
24 telecommunication software, hardware, equipment, peripheral devices,

1 maintenance, consulting services, high technology systems, and other
2 related information technology, data processing, telecommunication
3 and related peripherals and services by purchase, lease-purchase,
4 lease with option to purchase, lease and rental for all state
5 agencies. The procurement policies and procedures established by
6 the Chief Information Officer shall be consistent with The Oklahoma
7 Central Purchasing Act.

8 2. The Chief Information Officer, or any employee or agent of
9 the Chief Information Officer acting within the scope of delegated
10 authority, shall have the same power and authority regarding the
11 procurement of all information technology and telecommunication
12 products and services as outlined in paragraph 1 of this subsection
13 for all state agencies as the State Purchasing Director has for all
14 acquisitions used or consumed by state agencies as established in
15 The Oklahoma Central Purchasing Act. Such authority shall,
16 consistent with the authority granted to the State Purchasing
17 Director pursuant to Section 85.10 of Title 74 of the Oklahoma
18 Statutes, include the power to designate financial or proprietary
19 information submitted by a bidder confidential and reject all
20 requests to disclose the information so designated, if the Chief
21 Information Officer requires the bidder to submit the financial or
22 proprietary information with a bid, proposal, or quotation.

23 ~~F.~~ H. The Information Services Division of the Office of
24 Management and Enterprise Services and the Chief Information Officer

1 shall be subject to The Oklahoma Central Purchasing Act for the
2 approval and purchase of equipment and products not related to
3 information and telecommunications technology, equipment, software,
4 products and related peripherals and services and shall also be
5 subject to the requirements of the Public Competitive Bidding Act of
6 1974, the Oklahoma Lighting Energy Conservation Act and the Public
7 Building Construction and Planning Act when procuring data
8 processing, information technology, telecommunication, and related
9 peripherals and services and when constructing information
10 technology and telecommunication facilities, telecommunication
11 networks and supporting infrastructure. The Chief Information
12 Officer shall be authorized to delegate all or some of the
13 procurement of information technology and telecommunication products
14 and services and construction of facilities and telecommunication
15 networks to another state entity if the Chief Information Officer
16 determines it to be cost-effective and in the best interest of the
17 state. The Chief Information Officer shall have authority to
18 designate information technology and telecommunication contracts as
19 statewide contracts and mandatory statewide contracts pursuant to
20 Section 85.5 of Title 74 of the Oklahoma Statutes and to negotiate
21 consolidation contracts, enterprise agreements and high technology
22 systems contracts in accordance with the procedures outlined in
23 Section 85.9D of Title 74 of the Oklahoma Statutes. Any contract
24 entered into by a state agency for which the Chief Information

1 Officer has not acted as the Information Technology and
2 Telecommunications Purchasing Director as required in this
3 subsection or subsection H of this section, shall be deemed to be
4 unenforceable and the Office of Management and Enterprise Services
5 shall not process any claim associated with the provisions thereof.

6 ~~F.~~ I. The Chief Information Officer shall establish, implement,
7 and enforce policies and procedure for the development and
8 procurement of an interoperable radio communications system for
9 state agencies. The Chief Information Officer shall work with local
10 governmental entities in developing the interoperable radio
11 communications system.

12 ~~K.~~ J. The Chief Information Officer shall develop and implement
13 a plan to utilize open source technology and products for the
14 information technology and telecommunication systems of all state
15 agencies.

16 ~~H.~~ K. All state agencies and authorities of this state and all
17 officers and employees of those entities shall work and cooperate
18 with and lend assistance to the Chief Information Officer and the
19 Information Services Division of the Office of Management and
20 Enterprise Services and provide any and all information requested by
21 the Chief Information Officer.

22 ~~M.~~ L. The Chief Information Officer shall prepare an annual
23 report detailing the ongoing net saving attributable to the
24 reallocation and consolidation of information technology and

1 telecommunication resources and personnel and shall submit the
2 report to the Governor, the Speaker of the House of Representatives,
3 and the President Pro Tempore of the Senate.

4 ~~N.~~ M. For purposes of the Oklahoma Information Services Act,
5 unless otherwise provided for, "state agencies" shall include any
6 office, officer, bureau, board, commission, counsel, unit, division,
7 body, authority or institution of the executive branch of state
8 government, whether elected or appointed; provided, except with
9 respect to the provisions of subsection D of this section, the term
10 "state agencies" shall not include institutions within The Oklahoma
11 State System of Higher Education, the Oklahoma State Regents for
12 Higher Education and the telecommunications network known as OneNet.

13 ~~Θ.~~ N. As used in this section:

14 1. "High technology system" means advanced technological
15 equipment, software, communication lines, and services for the
16 processing, storing, and retrieval of information by a state agency;

17 2. "Consolidation contract" means a contract for several state
18 or public agencies for the purpose of purchasing information
19 technology and telecommunication goods and services; and

20 3. "Enterprise agreement" means an agreement for information
21 technology or telecommunication goods and services with a supplier
22 who manufactures, develops and designs products and provides
23 services that are used by one or more state agencies.

1 SECTION 9. This act shall become effective November 1, 2020.

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