

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 924 By: Treat of the Senate
3 and
4 Boatman of the House
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7 An Act relating to sharing of state data; creating
8 definition; stating ownership of state data;
9 requiring state agencies to comply with statutory
10 obligations; authorizing the Office of Management and
11 Enterprise Services to promulgate rules to establish
12 certain standards; authorizing the sharing of data
13 between state agencies upon request; requiring
14 submission of specified information on certain form;
15 requiring the Office of Management and Enterprise
16 Services to grant or deny request; authorizing state
17 agencies to decline requests for data; authorizing
18 state agencies to seek final determination; requiring
19 cabinet secretary to make final determination;
20 construing provision; providing for codification; and
21 providing an effective date.

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AUTHOR: Add the following House Coauthor: Phillips

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert:

"An Act relating to sharing of state data; creating
definition of state data; stating ownership of state
data; requiring state agencies to comply with
statutory obligations; authorizing the sharing of
state data between state agencies; requiring
submission of specified information on certain form;
authorizing state agencies to decline requests for
state data; construing provision; exempting judicial
and legislative departments from scope of act;

1 providing for codification; and providing an
2 effective date.

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

5 SECTION 1. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 34.210 of Title 62, unless there
7 is created a duplication in numbering, reads as follows:

8 A. As used in this section, "state data" means all data files
9 hosted, procured, owned, processed, secured, stored, or created by
10 this state or its state agencies, while in the course of state
11 business and shall include any and all data not otherwise prohibited
12 from such classification by state or federal law. Such data shall
13 be the property of this state unless prohibited by law.

14 B. While this state is the owner of state data, individual
15 state agencies shall comply with their respective statutory
16 obligations in managing state data including responding to open
17 records requests, reporting and responding to data breaches and any
18 other statutory obligations required when hosting, accessing,
19 storing, collecting, or processing state data.

20 C. The Chief Information Officer for the State of Oklahoma may
21 establish standards and criteria for sharing state data between state
22 agencies. Agency requests to share state data shall be denied if the
23 stated purpose does not meet the established standards and criteria
24 for sharing state data as established by the CIO. State agencies may

1 decline requests to share state data if the state data requested is
2 otherwise privileged or prohibited from being shared by state or
3 federal law.

4 D. The powers provided in this section shall be in addition to
5 and not in substitution for any powers provided to the Office of
6 Management and Enterprise Services or the Chief Information Officer by
7 rule or law.

8 E. No powers provided in this section shall exempt or supersede
9 a state agency's statutory responsibility to protect data and to
10 comply with requirements of the Oklahoma Open Records Act or
11 applicable state or federal law.

12 F. The provisions of this section shall not be applicable to
13 the judicial department of state government or any entity organized
14 within the judicial department and shall not be applicable to the
15 legislative department or any entity organized within the
16 legislative department.

17 SECTION 2. This act shall become effective November 1, 2022."
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1 Passed the House of Representatives the 6th day of April, 2022.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2022.

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9 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 924

By: Treat of the Senate

3 and

4 Boatman of the House

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7 An Act relating to sharing of state data; creating
8 definition; stating ownership of state data;
9 requiring state agencies to comply with statutory
10 obligations; authorizing the Office of Management and
11 Enterprise Services to promulgate rules to establish
12 certain standards; authorizing the sharing of data
13 between state agencies upon request; requiring
14 submission of specified information on certain form;
15 requiring the Office of Management and Enterprise
16 Services to grant or deny request; authorizing state
17 agencies to decline requests for data; authorizing
18 state agencies to seek final determination; requiring
19 cabinet secretary to make final determination;
20 construing provision; providing for codification; and
21 providing an effective date.

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

25 SECTION 3. NEW LAW A new section of law to be codified
26 in the Oklahoma Statutes as Section 34.210 of Title 62, unless there
27 is created a duplication in numbering, reads as follows:

28 A. As used in this section, "state data" means all data files
29 hosted, procured, owned, processed, secured or stored, by this state
30 or its state agencies, while in the course of state business and
31 shall include any and all data not otherwise prohibited from such

1 classification by state or federal law. Such data shall be the
2 property of this state.

3 B. While this state is the owner of state data, individual
4 state agencies shall comply with their respective statutory
5 obligations in managing state data including responding to open
6 records requests, reporting and responding to data breaches and any
7 other statutory obligations required when collecting or processing
8 state data.

9 C. The Office of Management and Enterprise Services may
10 promulgate rules to establish standards and criteria for sharing
11 state data between state agencies.

12 D. State data may be shared between state agencies upon request
13 from the Office of Management and Enterprise Services. The request
14 shall be on a form provided by the Office of Management and
15 Enterprise Services and shall specify why the data is being
16 requested and what the intended purpose is for the requested data.
17 After reviewing the documentation, the Office of Management and
18 Enterprise Services shall grant or deny the request for access and
19 utilization of the requested data.

20 The Office of Management and Enterprise Services may deny
21 requests to share state data if the stated purpose does not meet the
22 established standards and criteria for sharing state data. State
23 agencies may decline requests to share state data if the state data
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1 requested is otherwise prohibited from being shared by state or
2 federal law.

3 E. If a state agency's request for state data has been declined
4 by another state agency, the initial requestor may seek a final
5 determination from the Office of Management and Enterprise Services
6 as to whether the requested state data shall be shared. If a state
7 agency disputes the decision of the Office of Management and
8 Enterprise Services, the Office of Management and Enterprise
9 Services cabinet secretary shall make a final determination whether
10 the request to share state data will be granted or denied.

11 F. The powers provided in this section shall be in addition to
12 and not in substitution for any powers provided to the Office of
13 Management and Enterprise Services by rule or law. No powers
14 provided in this section shall exempt or supersede a state agency's
15 statutory responsibility to protect data and to comply with
16 requirements of the Oklahoma Open Records Act.

17 SECTION 4. This act shall become effective November 1, 2021.
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1 Passed the Senate the 10th day of March, 2021.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2021.

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9 Presiding Officer of the House
10 of Representatives