

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE  
5   BILL NO. 924

By: Treat of the Senate

and

Boatman of the House

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

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 34.210 of Title 62, unless there  
is created a duplication in numbering, reads as follows:

1       A. As used in this section, "state data" means all data files  
2 hosted, procured, owned, processed, secured or stored, by this state  
3 or its state agencies, while in the course of state business and  
4 shall include any and all data not otherwise prohibited from such  
5 classification by state or federal law. Such data shall be the  
6 property of this state.

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

13       C. The Office of Management and Enterprise Services may  
14 promulgate rules to establish standards and criteria for sharing  
15 state data between state agencies.

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

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

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

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

21       SECTION 2. This act shall become effective November 1, 2021.

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23 COMMITTEE REPORT BY: COMMITTEE ON TECHNOLOGY, dated 03/31/2021 - DO  
24 PASS.