

1 **SENATE FLOOR VERSION**

2 February 18, 2021

3 SENATE BILL NO. 924

By: Treat

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

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

29 A. As used in this section, "state data" means all data files
30 hosted, procured, owned, processed, secured or stored, by this state
31 or its state agencies, while in the course of state business and
32 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 2. This act shall become effective November 1, 2021.

18 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
19 February 18, 2021 - DO PASS
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