

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2940

By: Derby

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9 COMMITTEE SUBSTITUTE

10 An Act relating to technology; amending 62 O.S. 2011,
11 Section 34.11.1, which relates to the Chief
12 Information Officer; modifying definition of state
13 agency; amending 62 O.S. 2011, Section 34.16, which
14 relates to the submission of the annual one-year
15 telecommunications and electronic information
16 technology plan; amending 62 O.S. 2011, Section
17 34.21, which relates to authorization for obtaining
18 communications or telecommunications systems;
19 deleting exception for the telecommunications network
20 known as OneNet; amending 62 O.S. 2011, Section 35.3,
21 which relates to the Information Technology
22 Consolidation and Coordination Act; changing
23 definition; requiring the Oklahoma State Regents for
24 Higher Education and OneNet to provide a list of
 certain information technology assets; specifying
 certain duty of the Chief Information Officer and
 Director of the Office of State Finance; requiring
 modification of certain assessment; requiring
 identification of certain information technology
 assets and positions; requiring identified assets and
 positions to be transferred to Information Services
 Division of Office of State Finance; establishing a
 transfer date for certain assets; specifying
 responsibilities for certain costs until certain
 date; requiring execution of certain conveyances and
 documents; establishing a transfer date for certain
 positions; providing for a transfer agreement;

1 providing for succession of certain rights and
2 responsibilities to the Information Services Division
3 of the Office of State Finance; and providing for
4 codification.

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

7 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.11.1, is
8 amended to read as follows:

9 Section 34.11.1 A. There is hereby created the position of
10 Chief Information Officer who shall be appointed by the Governor.
11 The Chief Information Officer, in addition to having authority over
12 the Information Services Division of the Office of State Finance,
13 shall also serve as Secretary of Information Technology and
14 Telecommunications or successor cabinet position and shall have
15 jurisdictional areas of responsibility related to information
16 technology and telecommunications systems of all state agencies as
17 provided for in the Oklahoma Information Services Act. The salary
18 of the Chief Information Officer shall not be less than One Hundred
19 Thirty Thousand Dollars (\$130,000.00) or more than One Hundred Sixty
20 Thousand Dollars (\$160,000.00). The first Chief Information Officer
21 shall be appointed no later than January 1, 2010.

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

- 1 1. A baccalaureate degree in Computer Information Systems,
2 Information Systems or Technology Management, Business
3 Administration, Finance, or other similar degree;
- 4 2. A minimum of ten (10) years of professional experience with
5 responsibilities for management and support of information systems
6 and information technology, including seven (7) years of direct
7 management of a major information technology operation;
- 8 3. Familiarity with local and wide-area network design,
9 implementation, and operation;
- 10 4. Experience with data and voice convergence service
11 offerings;
- 12 5. Experience in developing technology budgets;
- 13 6. Experience in developing requests for proposal and
14 administering the bid process;
- 15 7. Experience managing professional staff, teams, and
16 consultants;
- 17 8. Knowledge of telecommunications operations;
- 18 9. Ability to develop and set strategic direction for
19 information technology and telecommunications and to manage daily
20 development and operations functions;
- 21 10. An effective communicator who is able to build consensus;
- 22 11. Ability to analyze and resolve complex issues, both logical
23 and interpersonal;

1 12. Effective verbal and written communications skills and
2 effective presentation skills, geared toward coordination and
3 education;

4 13. Ability to negotiate and defuse conflict; and

5 14. A self-motivator, independent, cooperative, flexible and
6 creative.

7 C. The salary and any other expenses for the Chief Information
8 Officer shall be budgeted as a separate line item through the Office
9 of State Finance. The operating expenses of the Information
10 Services Division shall be set by the Chief Information Officer and
11 shall be budgeted as a separate line item through the Office of
12 State Finance. The Office of State Finance shall provide adequate
13 office space, equipment and support necessary to enable the Chief
14 Information Officer to carry out the information technology and
15 telecommunications duties and responsibilities of the Officer and
16 the Information Services Division.

17 D. 1. Within twelve (12) months of appointment, the first
18 Chief Information Officer shall complete an assessment of the
19 implementation of the transfer, coordination, and modernization of
20 all information technology and telecommunication systems of all
21 state agencies in the state as provided for in the Oklahoma
22 Information Services Act. The assessment shall include the
23 information technology and telecommunications systems of all

1 institutions within The Oklahoma State System of Higher Education,
2 the Oklahoma State Regents for Higher Education and the
3 telecommunications network known as OneNet.

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

- 7 a. define the shared service model organization structure
8 and the reporting relationship of the recommended
9 organization,
- 10 b. the implementation of an information technology and
11 telecommunications shared services model that defines
12 the statewide infrastructure environment needed by
13 most state agencies that is not specific to individual
14 agencies and the shared applications that are utilized
15 across multiple agencies,
- 16 c. define the services that shall be in the shared
17 services model under the control of the Information
18 Services Division of the Office of State Finance,
- 19 d. define the roadmap to implement the proposed shared
20 services model. The roadmap shall include
21 recommendations on the transfer, coordination, and
22 modernization of all information technology and
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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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- telecommunication systems of all the state agencies in the state,
- e. recommendations on the reallocation of information technology and telecommunication resources and personnel,
 - f. recommendations on maximizing the benefits to the state by the alignment and operation of the communications and data transfer network assets known as OneNet,
 - g. a cost benefit analysis to support the recommendations on the reallocation of information technology and telecommunication resources and personnel,
 - h. a calculation of the net savings realized through the reallocation and consolidation of information technology and telecommunication resources and personnel after compensating for the cost of contracting with a private consultant as authorized in paragraph 4 of this subsection, implementing the plan of action, and ongoing costs of the Information Services Division of the Office of State Finance, and
 - i. the information required in subsection B of Section 5 35.5 of this ~~act~~ title.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 3. The plan of action report shall be presented to the
2 Governor, Speaker of the House of Representatives, and the President
3 Pro Tempore of the State Senate.

4 4. The Chief Information Officer may contract with a private
5 consultant or consultants to assist in the assessment and
6 development of the plan of action report as required in this
7 subsection.

8 E. Beginning on the effective date of appointment, the Chief
9 Information Officer shall be authorized to employ personnel, fix the
10 duties and compensation of the personnel, not otherwise prescribed
11 by law, and otherwise direct the work of the personnel in performing
12 the function and accomplishing the purposes of the Information
13 Services Division of the Office of State Finance.

14 F. Beginning on the effective date of the appointment of the
15 first Chief Information Officer, the Information Services Division
16 of the Office of State Finance shall be responsible for the
17 following duties:

18 1. Formulate and implement the information technology strategy
19 for all state agencies;

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

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

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

6 5. Provide direction for the professional development of
7 information technology staff of state agencies and oversee the
8 professional development of the staff of the Information Services
9 Division of the Office of State Finance;

10 6. Evaluate all technology and telecommunication investment
11 choices for all state agencies;

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

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

19 9. Direct the development, implementation, and management of
20 appropriate standards, policies and procedures to ensure the success
21 of state information technology and telecommunication initiatives;

22 10. Recruit, hire and transfer the required technical staff in
23 the Information Services Division of the Office of State Finance to
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1 support the services provided by the Division and the execution of
2 the strategic information technology plan;

3 11. Establish, maintain, and enforce information technology and
4 telecommunication standards;

5 12. Delegate, coordinate, and review all work to ensure quality
6 and efficient operation of the Information Services Division of the
7 Office of State Finance;

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

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

19 15. Provide counseling, performance evaluation, training,
20 motivation, discipline, and assign duties for employees of the
21 Information Services Division of the Office of State Finance;

22 16. Approve the purchasing of all information technology and
23 telecommunication products and services for all state agencies;

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

4 18. Effectively manage the design, implementation and support
5 of complex, highly available infrastructure to ensure optimal
6 performance, on-time delivery of features, and new products, and
7 scalable growth;

8 19. Define and implement a governance model for requesting
9 services and monitoring service level metrics for all shared
10 services; and

11 20. Create the budget for the Information Services Division of
12 the Office of State Finance to be submitted to the Legislature each
13 year.

14 G. Upon receiving approval of the State Governmental Technology
15 Applications Review Board, the Chief Information Officer shall
16 implement the plan of action as set forth in subsection D of this
17 section; provided, the plan of action for the Department of Human
18 Services shall not be implemented until July 1, 2011. The State
19 Governmental Technology Applications Review Board shall provide
20 ongoing oversight of the implementation of the plan of action. Any
21 proposed amendments to the plan of action shall be approved by the
22 Board prior to adoption. The net savings realized through the
23 reallocation and consolidation of information technology and
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1 telecommunication resources and personnel after compensating for the
2 up-front costs and ongoing costs of the Information Services
3 Division of the Office of State Finance which are identified and
4 reported in the plan of action shall be realized no later than July
5 1, 2012, and shall at a minimum be not less than fifteen percent
6 (15%) of the overall statewide information technology and
7 telecommunications expenditures made by all state agencies during
8 the fiscal year ending June 30, 2009.

9 H. Beginning on the effective date of appointment, the Chief
10 Information Officer shall act as the Information Technology and
11 Telecommunications Purchasing Director for all state agencies and
12 shall be responsible for the procurement of all information
13 technology and telecommunication software, hardware, equipment,
14 peripheral devices, maintenance, consulting services, high
15 technology systems, and other related information technology, data
16 processing, telecommunication and related peripherals and services
17 for all state agencies. The Chief Information Officer shall
18 establish, implement, and enforce policies and procedures for the
19 procurement of information technology and telecommunication
20 software, hardware, equipment, peripheral devices, maintenance,
21 consulting services, high technology systems, and other related
22 information technology, data processing, telecommunication and
23 related peripherals and services by purchase, lease-purchase, lease

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1 with option to purchase, lease and rental for all state agencies.
2 The procurement policies and procedures established by the Chief
3 Information Officer shall be consistent with The Oklahoma Central
4 Purchasing Act.

5 I. The Information Services Division of the Office of State
6 Finance and the Chief Information Officer shall be subject to The
7 Oklahoma Central Purchasing Act for the approval and purchase of
8 equipment and products not related to information and
9 telecommunications technology, equipment, software, products and
10 related peripherals and services and shall also be subject to the
11 requirements of the Public Competitive Bidding Act of 1974, the
12 Oklahoma Lighting Energy Conservation Act and the Public Building
13 Construction and Planning Act when procuring data processing,
14 information technology, telecommunication, and related peripherals
15 and services and when constructing information technology and
16 telecommunication facilities, telecommunication networks and
17 supporting infrastructure. The Chief Information Officer shall be
18 authorized to delegate all or some of the procurement of information
19 technology and telecommunication products and services and
20 construction of facilities and telecommunication networks to another
21 state entity if the Chief Information Officer determines it to be
22 cost-effective and in the best interest of the state. The Chief
23 Information Officer shall have authority to designate information

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1 technology and telecommunication contracts as statewide contracts
2 and mandatory statewide contracts pursuant to Section 85.5 of Title
3 74 of the Oklahoma Statutes. Any contract entered into by a state
4 agency for which the Chief Information Officer has not acted as the
5 Information Technology and Telecommunications Purchasing Director as
6 required in this subsection or subsection H of this section, shall
7 be deemed to be unenforceable and the Office of State Finance shall
8 not process any claim associated with the provisions thereof.

9 J. The Chief Information Officer shall establish and implement
10 charges and a system to assess the charges to state agencies for
11 their use of shared information technology and telecommunication
12 services subject to the approval of the State Governmental
13 Technology Applications Review Board.

14 K. The Chief Information Officer shall establish, implement,
15 and enforce policies and procedure for the development and
16 procurement of an interoperable radio communications system for
17 state agencies. The Chief Information Officer shall work with local
18 governmental entities in developing the interoperable radio
19 communications system.

20 L. The Chief Information Officer shall develop and implement a
21 plan to utilize open source technology and products for the
22 information technology and telecommunication systems of all state
23 agencies.

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1 M. All state agencies and authorities of this state and all
2 officers and employees of those entities shall work and cooperate
3 with and lend assistance to the Chief Information Officer and the
4 Information Services Division of the Office of State Finance and
5 provide any and all information requested by the Chief Information
6 Officer.

7 N. The Chief Information Officer shall prepare an annual report
8 detailing the ongoing net saving attributable to the reallocation
9 and consolidation of information technology and telecommunication
10 resources and personnel and shall submit the report to the Governor,
11 the Speaker of the House of Representatives, and the President Pro
12 Tempore of the Senate.

13 O. For purposes of the Oklahoma Information Services Act,
14 unless otherwise provided for, "state agencies" shall include any
15 office, officer, bureau, board, commission, counsel, unit, division,
16 body, authority or institution of the executive branch of state
17 government, whether elected or appointed; provided, except with
18 respect to the provisions of subsection D of this section, the term
19 "state agencies" shall not include institutions within The Oklahoma
20 State System of Higher Education, ~~the Oklahoma State Regents for~~
21 ~~Higher Education and the telecommunications network known as OneNet.~~

22 SECTION 2. AMENDATORY 62 O.S. 2011, Section 34.16, is
23 amended to read as follows:

1 Section 34.16 A. No later than July 1 of each year, all
2 agencies of the executive branch of this state presently using or
3 contemplating the use of telecommunications and electronic
4 information technology applications, including, but not limited to,
5 the use of mainframe computers, minicomputers or microcomputers,
6 word processing equipment, office automation systems, Internet,
7 eGovernment, broadband, Wi-Fi or wireless networking, radio,
8 including the interoperable radio communications system for state
9 agencies, Global Positioning Systems (GPS), or contracts for
10 information technology services and equipment, shall annually submit
11 to the Information Services Division of the Office of State Finance
12 a one-year operations plan, which shall include as a minimum:

- 13 1. An overview of major projects and objectives;
- 14 2. Cost per defined category of hardware, software, services
15 and personnel;

- 16 3. An assurance of compliance with state standards on
17 accessibility of information technology for individuals with
18 disabilities developed in accordance with Section ~~41.5t~~ 34.28 of
19 this title; and

- 20 4. Such other information as the Information Services Division
21 may require for analysis and consolidation into a statewide
22 telecommunications and electronic information technology plan.

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1 B. No agency of the executive branch of this state shall enter
2 into any agreement for the acquisition, development, or enhancement
3 of application systems software or for the acquisition of electronic
4 information technology equipment or peripheral devices, including
5 Internet and eGovernment, broadband, Wi-Fi or wireless networking,
6 radio, including the interoperable radio communications system for
7 state agencies, Global Positioning Systems (GPS), whether or not
8 connected to such equipment, unless the cost of such acquisition,
9 development, or enhancement has been included in the plan for the
10 agency. The Information Services Division upon review of an
11 information technology and telecommunication plan for the agency,
12 shall submit in either printed or electronic form to the Governor,
13 the Speaker of the House of Representatives, and the President Pro
14 Tempore of the Senate its findings and recommendations on all
15 proposed new and expanded programs and expenditures for personnel
16 and the purchase or acquisition of equipment, hardware, software,
17 accessories, or services thereto, including but not limited to
18 leases, rentals or lease-purchase, indicating that the associated
19 cost meet or comply with Section ~~41.5a~~ 34.12 of this title.

20 ~~C. The provisions of this section shall not apply to the~~
21 ~~telecommunications network known as OneNet whether said network is~~
22 ~~governed or operated by the Oklahoma State Regents for Higher~~
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1 ~~Education or any other state entity assigned responsibility for~~
2 ~~OneNet.~~

3 ~~D.~~ The provisions of this section shall not apply to CompSource
4 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
5 program authorized by Sections 3316 and 3317 of Title 74 of the
6 Oklahoma Statutes.

7 SECTION 3. AMENDATORY 62 O.S. 2011, Section 34.21, is
8 amended to read as follows:

9 Section 34.21 A. No agency of the executive branch of the
10 state shall use state funds for or enter into any agreement for the
11 acquisition, development or enhancement of a communication or
12 telecommunication system including voice, data, radio, video,
13 Internet, eGovernment, as referenced in Sections ~~41.5p~~ 34.24 and
14 ~~41.5q~~ 34.25 of this title, printers, scanners, copiers, facsimile
15 systems and associated supplies exceeding Ten Thousand Dollars
16 (\$10,000.00) in value, which shall include the acquisition amount,
17 service costs, maintenance costs, or any other costs or fees
18 associated with the acquisition of the system or equipment, without
19 written authorization of the Chief Information Officer or a
20 designee. The Chief Information Officer or a designee shall verify
21 that any acquisition, development or enhancement is compatible with
22 the operation of the Oklahoma Government Telecommunications Network.

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1 B. No agency of the executive branch of the state shall enter
2 into any agreement for the acquisition, development or enhancement
3 of a communication or telecommunication system or service including
4 voice, data, radio, video, Internet, eGovernment, printers,
5 scanners, copiers, and facsimile systems, unless the cost of such
6 addition, change, improvement or development has been included in
7 the statewide communications plan of the Information Services
8 Division of the Office of State Finance, as said plan may have been
9 amended or revised.

10 C. State agencies may enter into interagency contracts to share
11 communications and telecommunications resources for mutually
12 beneficial purposes. The contract shall clearly state how its
13 purpose contributes to the development or enhancement or cost
14 reduction of a state network which includes voice, data, radio,
15 video, Internet, eGovernment, or facsimile systems. The contract
16 shall be approved by the Information Services Division before any
17 payments are made.

18 ~~D. The provisions of subsections A, B and C of this section~~
19 ~~shall not apply to the telecommunications network known as OneNet~~
20 ~~whether said network is governed or operated by the Oklahoma State~~
21 ~~Regents for Higher Education or any other state entity assigned~~
22 ~~responsibility for OneNet.~~

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1 ~~E.~~ The provisions of this section shall not apply to CompSource
2 Oklahoma if CompSource Oklahoma is operating pursuant to a pilot
3 program authorized by Sections 3316 and 3317 of Title 74 of the
4 Oklahoma Statutes.

5 ~~F.~~ E. No state agency shall use state funds or enter into any
6 agreement for the acquisition, development or enhancement of a
7 public safety communication system unless the request is consistent
8 with the Statewide Communications Interoperability Plan and the
9 public safety communications standards issued by the Oklahoma Office
10 of Homeland Security. Agencies interested in acquiring, developing
11 or enhancing a public safety communications system shall submit a
12 proposal to the Oklahoma Office of Homeland Security. The Oklahoma
13 Office of Homeland Security shall issue a proposal review which
14 summarizes whether the proposal is consistent with the Statewide
15 Communications Interoperability Plan and the technology standards
16 issued. The proposal review shall be submitted to the requesting
17 agency and to the Chief Information Officer.

18 SECTION 4. AMENDATORY 62 O.S. 2011, Section 35.3, is
19 amended to read as follows:

20 Section 35.3 As used in the Information Technology
21 Consolidation and Coordination Act:

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1 1. "Appropriated state agency" means any state agency that
2 receives funding through the annual legislative appropriations
3 process;

4 2. "Information technology assets" means any equipment or
5 interconnected system or subsystem of equipment that is used in the
6 acquisition, storage, manipulation, management, movement, control,
7 display, switching, interchange, transmission, or reception of data
8 or information. The term shall include computers, ancillary
9 equipment, software, firmware and similar procedures, services,
10 including support services and consulting services, software
11 development, and related resources, and shall further include
12 telecommunications fiber networks used for conveying electronic
13 communication or information systems to multiple physical locations;

14 3. "Information technology position" means a classified or
15 unclassified position in the following functional areas:

- 16 a. applications programming,
- 17 b. EDP audit,
- 18 c. data examination,
- 19 d. computer applications,
- 20 e. computer data entry,
- 21 f. computer networking,
- 22 g. computer operations,
- 23 h. computer programming,

- 1 i. computer security,
- 2 j. computer software design,
- 3 k. web applications,
- 4 l. database analysis,
- 5 m. data management analysis,
- 6 n. database development,
- 7 o. database programming,
- 8 p. software design/development,
- 9 q. help desk,
- 10 r. imaging,
- 11 s. systems analysis,
- 12 t. systems application planning,
- 13 u. systems application,
- 14 v. systems administration,
- 15 w. systems coordination,
- 16 x. systems integration,
- 17 y. systems operation,
- 18 z. systems planning/development,
- 19 aa. systems programming,
- 20 bb. systems engineering,
- 21 cc. systems service specialist,
- 22 dd. systems support,
- 23 ee. network administration,

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- 1 ff. network management,
- 2 gg. network technical,
- 3 hh. operating systems specialist,
- 4 ii. systems program manager,
- 5 jj. telecommunications, whether data or voice,
- 6 kk. software training, and
- 7 ll. technology development or support;

8 4. "Nonappropriated state agency" means any state agency that
9 does not receive funding through the annual legislative
10 appropriations process;

11 5. "Planned project" includes any major project or objective
12 included in the operations plan submitted by the agency to the
13 Information Services Division of the Office of State Finance as
14 required pursuant to Section 34.16 of ~~Title 62 of the Oklahoma~~
15 ~~Statutes~~ this title;

16 6. "Shared services" means those state agency functions which
17 are or could be provided through:

- 18 a. the services and systems specified in subsection A of
19 Section ~~6~~ 35.6 of this ~~act~~ title, and
- 20 b. the programs, services, software or processes
21 specified in subsection B of Section ~~6~~ 35.6 of this
22 ~~act~~ title; and

1 7. "State agency" means any office, elected or appointed
2 officer, bureau, board, commission, counsel, unit, division, body,
3 authority or institution of the executive branch of state
4 government, excluding institutions within The Oklahoma State System
5 of Higher Education, ~~the Oklahoma State Regents for Higher Education~~
6 ~~and the telecommunications network known as OneNet.~~

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 35.10 of Title 62, unless there
9 is created a duplication in numbering, reads as follows:

10 A. 1. Not later than thirty (30) days after the effective date
11 of this act, the Oklahoma State Regents for Higher Education and the
12 telecommunications network known as OneNet shall provide to the
13 Chief Information Officer a list of information technology assets of
14 the State Regents and OneNet which are integral to agency-specific
15 applications or functions and a list of information technology
16 positions which are directly associated with the assets. The State
17 Regents and OneNet shall further provide the reference to federal or
18 state statutory or constitutional provisions which require it to
19 perform the applications or functions.

20 2. If the Chief Information Officer disputes the identification
21 of assets or positions provided by the State Regents and OneNet as
22 being integral to agency-specific applications or functions, the
23 Director of State Finance shall make the final determination.

1 B. Not later than December 1, 2012, and not later than December
2 1 of each year thereafter, the Chief Information Officer shall
3 modify the assessment required by subsection D of Section 34.11.1 of
4 Title 62 of the Oklahoma Statutes to include identification of:

5 1. All information technology assets of the State Regents and
6 OneNet, which are not integral to agency-specific applications or
7 functions, and the transfer of which to the Information Services
8 Division of the Office of State Finance and the Chief Information
9 Officer would result in a cost savings to the taxpayers of this
10 state or improved efficiency of state government operations,
11 including all furniture, equipment, vehicles, supplies, records,
12 current and future liabilities, fund balances, encumbrances,
13 obligations, and indebtedness associated with the information
14 technology assets; and

15 2. All information technology positions associated with the
16 information technology assets identified pursuant to paragraph 1 of
17 this subsection. The assessment shall identify the amount of
18 compensation and related liabilities for accrued sick leave, annual
19 leave, holidays, unemployment benefits, and workers' compensation
20 benefits for the positions.

21 C. The information technology assets and positions of the State
22 Regents and OneNet identified in the assessment pursuant to
23 subsection B of this section shall be transferred to the Information
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1 Services Division of the Office of State Finance subject to the
2 following provisions:

3 1. Information technology assets of the State Regents and
4 OneNet identified in the assessment pursuant to the provisions of
5 paragraph 1 of subsection B of this section shall be transferred
6 effective January 1, 2013. The costs of operation, maintenance,
7 licensing and service of the assets shall remain the responsibility
8 of the State Regents and OneNet until July 1, 2013, unless otherwise
9 agreed to by the State Regents and OneNet and the Division.
10 Appropriate conveyances and other documents shall be executed to
11 effectuate the transfer of the information technology assets and
12 positions to the Information Services Division of the Office of
13 State Finance; and

14 2. Information technology positions of the State Regents and
15 OneNet identified in the assessment pursuant to the provisions of
16 paragraph 2 of subsection B of this section shall be transferred
17 effective February 1, 2013. The State Regents and OneNet shall
18 enter into an agreement with the Division not later than January 1,
19 2013, for the remainder of fiscal year 2013, specifying the terms of
20 the transfers, including provisions for the Division to provide
21 information technology services to the State Regents and OneNet and
22 for the State Regents and OneNet to reimburse the Division for the
23 cost of the services. If an agreement cannot be reached, the

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1 Director of the Office of State Finance shall be authorized to
2 negotiate the terms of the agreement, which shall then be entered
3 into by the State Regents and OneNet and the Division.

4 D. The Information Services Division of the Office of State
5 Finance shall succeed to any contractual rights, easement rights,
6 lease rights, and responsibilities related to the information
7 technology assets that are transferred as provided for in this
8 section and incurred by the State Regents and OneNet.

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10 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
11 02/13/2012 - DO PASS, As Amended.

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.