

1 **SENATE FLOOR VERSION**

2 February 8, 2024

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1361

By: Thompson (Roger)

6 An Act relating to information services; amending 62  
7 O.S. 2021, Section 34.12, as amended by Section 2,  
8 Chapter 74, O.S.L. 2022 (62 O.S. Supp. 2023, Section  
9 34.12), which relates to the Information Services  
10 Division of the Office of Management and Enterprise  
11 Services; granting certain entities certain  
12 exemption; granting certain entities certain powers  
13 and duties; amending 62 O.S. 2021, Section 35.6,  
14 which relates to the Information Technology  
15 Consolidation and Coordination Act; granting certain  
16 entities certain exemption; granting certain entities  
17 certain powers and duties; updating statutory  
18 references; and providing an effective date.

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

20 SECTION 1. AMENDATORY 62 O.S. 2021, Section 34.12, as  
21 amended by Section 2, Chapter 74, O.S.L. 2022 (62 O.S. Supp. 2023,  
22 Section 34.12), is amended to read as follows:

23 Section 34.12. A. The Information Services Division of the  
24 Office of Management and Enterprise Services shall:

1. Coordinate information technology planning through analysis  
of the long-term information technology plans for each agency;

2. Develop a statewide information technology plan with annual  
modifications to include, but not be limited to, individual agency

1 plans and information systems plans for the statewide electronic  
2 information technology function;

3 3. Establish and enforce minimum mandatory standards for:

- 4 a. information systems planning,
- 5 b. systems development methodology,
- 6 c. documentation,
- 7 d. hardware requirements and compatibility,
- 8 e. operating systems compatibility,
- 9 f. acquisition of software, hardware and technology-  
10 related services,
- 11 g. information security and internal controls,
- 12 h. data base compatibility,
- 13 i. contingency planning and disaster recovery, and
- 14 j. imaging systems, copiers, facsimile systems, printers,  
15 scanning systems and any associated supplies.

16 The standards shall, upon adoption, be the minimum requirements  
17 applicable to all agencies. These standards shall be compatible  
18 with the standards established for the Oklahoma Government  
19 Telecommunications Network. Individual agency standards may be more  
20 specific than statewide requirements but shall in no case be less  
21 than the minimum mandatory standards. Where standards required of  
22 an individual agency of the state by agencies of the federal  
23 government are more strict than the state minimum standards, such  
24 federal requirements shall be applicable;

1           4. Develop and maintain applications for agencies not having  
2 the capacity to do so;

3           5. Operate a data service center to provide operations and  
4 hardware support for agencies requiring such services and for  
5 statewide systems;

6           6. Maintain a directory of the following which have a value of  
7 Five Hundred Dollars (\$500.00) or more: application systems, systems  
8 software, hardware, internal and external information technology,  
9 communication or telecommunication equipment owned, leased, or  
10 rented for use in communication services for state government  
11 including communication services provided as part of any other total  
12 system to be used by the state or any of its agencies, and studies  
13 and training courses in use by all agencies of the state; and  
14 facilitate the utilization of the resources by any agency having  
15 requirements which are found to be available within any agency of  
16 the state;

17           7. Assist agencies in the acquisition and utilization of  
18 information technology systems and hardware to effectuate the  
19 maximum benefit for the provision of services and accomplishment of  
20 the duties and responsibilities of agencies of the state;

21           8. Coordinate for the executive branch of state government  
22 agency information technology activities, encourage joint projects  
23 and common systems, linking of agency systems through the review of  
24 agency plans, review and approval of all statewide contracts for

1 software, hardware and information technology consulting services  
2 and development of a statewide plan and its integration with the  
3 budget process to ensure that developments or acquisitions are  
4 consistent with statewide objectives and that proposed systems are  
5 justified and cost effective;

6 9. Develop performance reporting guidelines for information  
7 technology facilities and conduct an annual review to compare agency  
8 plans and budgets with results and expenditures;

9 10. Establish operations review procedures for information  
10 technology installations operated by agencies of the state for  
11 independent assessment of productivity, efficiency, cost  
12 effectiveness, and security;

13 11. Establish data center user charges for billing costs to  
14 agencies based on the use of all resources;

15 12. Provide system development and consultant support to state  
16 agencies on a contractual, cost reimbursement basis; and

17 13. In conjunction with the ~~Oklahoma~~ Office of Homeland  
18 Security, enforce the minimum information security and internal  
19 control standards established by the Information Services Division.  
20 An enforcement team consisting of the Chief Information Officer of  
21 the Information Services Division or a designee, a representative of  
22 the ~~Oklahoma~~ Office of Homeland Security, and a representative of  
23 the Oklahoma State Bureau of Investigation shall enforce the minimum  
24 information security and internal control standards. If the

1 enforcement team determines that an agency is not in compliance with  
2 the minimum information security and internal control standards, the  
3 Chief Information Officer shall take immediate action to mitigate  
4 the noncompliance including the removal of the agency from the  
5 infrastructure of the state until the agency becomes compliant,  
6 taking control of the information technology function of the agency  
7 until the agency is compliant, and transferring the administration  
8 and management of the information technology function of the agency  
9 to the Information Services Division or another state agency.

10 B. No agency of the executive branch of the state shall use  
11 state funds for or enter into any agreement for the acquisition of  
12 any category of computer hardware, software or any contract for  
13 information technology or telecommunication services and equipment,  
14 service costs, maintenance costs, or any other costs or fees  
15 associated with the acquisition of the services or equipment,  
16 without written authorization of the Chief Information Officer or a  
17 designee except the following:

18 1. A purchase less than or equal to Five Thousand Dollars  
19 (\$5,000.00) if such product is purchased using a state purchase card  
20 and the product is listed on either the Approved Hardware or  
21 Approved Software list located on the Office of Management and  
22 Enterprise Services website;

23 2. A purchase over Five Thousand Dollars (\$5,000.00) and less  
24 than or equal to Twenty-five Thousand Dollars (\$25,000.00) if such

1 product is purchased using a state purchase card, the product is  
2 listed on an information technology or telecommunications statewide  
3 contract, and the product is listed on either the Approved Hardware  
4 or Approved Software list located on the Office of Management and  
5 Enterprise Services website; or

6 3. A purchase of computer hardware or software or any services  
7 related to software development, software modifications, or any  
8 other services related to the operation and maintenance of computer  
9 hardware and software or both independently that is made by the  
10 Military Department of the State of Oklahoma.

11 If written authorization is not obtained prior to incurring an  
12 expenditure or entering into any agreement as required in this  
13 subsection or as required in Section 35.4 of this title, the Office  
14 of Management and Enterprise Services may not process any claim  
15 associated with the expenditure and the provisions of any agreement  
16 shall not be enforceable. The provisions of this subsection shall  
17 not be applicable to any member of The Oklahoma State System of  
18 Higher Education, any public elementary or secondary schools of the  
19 state, any technology center school district as ~~defined~~ provided in  
20 Section 14-108 of Title 70 of the Oklahoma Statutes, or CompSource  
21 Mutual Insurance Company.

22 C. The Department of Public Safety, the Oklahoma State Bureau  
23 of Investigation, the Oklahoma State Bureau of Narcotics and  
24 Dangerous Drugs Control, the Alcoholic Beverage Laws Enforcement

1 Commission, and the Office of the Attorney General shall be exempt  
2 from the provisions of subsection B of this section. Such entities  
3 shall have the power and duty to procure information and  
4 telecommunications software, hardware, equipment, peripheral  
5 devices, maintenance, consulting services, high technology systems,  
6 and other related information technology, data processing,  
7 telecommunication, and related peripherals and services by purchase,  
8 lease purchase, lease with option to purchase, lease, and rent,  
9 consistent with the provisions of the Oklahoma Central Purchasing  
10 Act.

11 D. The Chief Information Officer and Information Services  
12 Division of the Office of Management and Enterprise Services and all  
13 agencies of the executive branch of the state shall not be required  
14 to disclose, directly or indirectly, any information of a state  
15 agency which is declared to be confidential or privileged by state  
16 or federal statute or the disclosure of which is restricted by  
17 agreement with the United States or one of its agencies, nor  
18 disclose information technology system details that may permit the  
19 access to confidential information or any information affecting  
20 personal security, personal identity, or physical security of state  
21 assets.

22 SECTION 2. AMENDATORY 62 O.S. 2021, Section 35.6, is  
23 amended to read as follows:  
24

1 Section 35.6. A. All appropriated and nonappropriated state  
2 agencies shall be required to use the following information  
3 technology services and systems operated and maintained by the  
4 Office of Management and Enterprise Services for all agency  
5 functions:

- 6 1. Data ~~Service Center~~ service center of the Information  
7 Services Division;
- 8 2. Networking services;
- 9 3. Communication or intercommunication systems;
- 10 4. Electronic mail systems; and
- 11 5. Data and network security systems.

12 B. The Department of Public Safety, the Oklahoma State Bureau  
13 of Investigation, the Oklahoma State Bureau of Narcotics and  
14 Dangerous Drugs Control, the Alcoholic Beverage Laws Enforcement  
15 Commission, and the Office of the Attorney General shall be exempt  
16 from the provisions of subsection A of this section. Such entities  
17 shall have the authority to create, manage, and maintain an  
18 information services division, independent of the Information  
19 Services Division of the Office of Management and Enterprise  
20 Services. Such division of the exempted entity shall have all the  
21 powers and duties related to the information technology and  
22 telecommunications systems of such entity. Such division of an  
23 exempted entity may also recruit or hire any technical staff  
24 required to support the services provided by such division.



1        C. All appropriated and nonappropriated state agencies shall be  
2 required to exclusively use the following programs, services,  
3 software and processes provided through the Integrated Central  
4 Financial System known as CORE and as implemented by the Office of  
5 Management and Enterprise Services and shall not utilize any  
6 programs, services, software or processes that are duplicative of  
7 the following:

- 8            1. Payroll;
- 9            2. Employee leave system;
- 10           3. Human resources;
- 11           4. Accounts receivable;
- 12           5. Accounts payable;
- 13           6. Purchasing system;
- 14           7. Budgeting system;
- 15           8. Enterprise Learning Management (ELM);
- 16           9. Budget request system;
- 17           10. Asset management; and
- 18           11. Projects, grants and contracts, which includes federal  
19 billing.

20        ~~C.~~ D. The Chief Information Officer shall have the authority to  
21 enforce the provisions of this section.

22        SECTION 3. This act shall become effective November 1, 2024.

23        COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
24        February 8, 2024 - DO PASS AS AMENDED BY CS