

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3057

By: Steagall

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6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.  
8 2021, Section 34.11.1, which relates to the Chief  
9 Information Officer; requiring all purchases of the  
10 Chief Information Officer be subject to certain acts;  
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY 62 O.S. 2021, Section 34.11.1, is  
14 amended to read as follows:

15 Section 34.11.1 A. There is hereby created the position of  
16 Chief Information Officer who shall be appointed by the Governor.  
17 The Chief Information Officer, in addition to having authority over  
18 the Information Services Division of the Office of Management and  
19 Enterprise Services, shall also serve as Secretary of Information  
20 Technology and Telecommunications or successor cabinet position and  
21 shall have jurisdictional areas of responsibility related to  
22 information technology and telecommunications systems of all state  
23 agencies as provided for in state law. The salary of the Chief  
24 Information Officer shall not be less than One Hundred Thirty  
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1 Thousand Dollars (\$130,000.00) or more than One Hundred Sixty  
2 Thousand Dollars (\$160,000.00).

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

5 1. A baccalaureate degree in Computer Information Systems,  
6 Information Systems or Technology Management, Business  
7 Administration, Finance, or other similar degree;

8 2. A minimum of ten (10) years of professional experience with  
9 responsibilities for management and support of information systems  
10 and information technology, including seven (7) years of direct  
11 management of a major information technology operation;

12 3. Familiarity with local and wide-area network design,  
13 implementation, and operation;

14 4. Experience with data and voice convergence service  
15 offerings;

16 5. Experience in developing technology budgets;

17 6. Experience in developing requests for proposal and  
18 administering the bid process;

19 7. Experience managing professional staff, teams, and  
20 consultants;

21 8. Knowledge of telecommunications operations;

22 9. Ability to develop and set strategic direction for  
23 information technology and telecommunications and to manage daily  
24 development and operations functions;

1 10. An effective communicator who is able to build consensus;

2 11. Ability to analyze and resolve complex issues, both logical  
3 and interpersonal;

4 12. Effective verbal and written communications skills and  
5 effective presentation skills, geared toward coordination and  
6 education;

7 13. Ability to negotiate and defuse conflict; and

8 14. A self-motivator, independent, cooperative, flexible and  
9 creative.

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

21 D. 1. Within twelve (12) months of appointment, the first  
22 Chief Information Officer shall complete an assessment, which shall  
23 be modified annually pursuant to Section 35.5 of this title, of the  
24 implementation of the transfer, coordination, and modernization of  
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1 all information technology and telecommunication systems of all  
2 state agencies in the state as provided for in the Oklahoma  
3 Information Services Act. The assessment shall include the  
4 information technology and telecommunications systems of all  
5 institutions within The Oklahoma State System of Higher Education,  
6 the Oklahoma State Regents for Higher Education and the  
7 telecommunications network known as OneNet as assembled and  
8 submitted by the Oklahoma Higher Education Chief Information  
9 Officer, as designated by the Oklahoma State Regents for Higher  
10 Education.

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

- 14 a. define the shared service model organization structure  
15 and the reporting relationship of the recommended  
16 organization,
- 17 b. the implementation of an information technology and  
18 telecommunications shared services model that defines  
19 the statewide infrastructure environment needed by  
20 most state agencies that is not specific to individual  
21 agencies and the shared applications that are utilized  
22 across multiple agencies,
- 23 c. define the services that shall be in the shared  
24 services model under the control of the Information  
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1 Services Division of the Office of Management and  
2 Enterprise Services,

- 3 d. define the roadmap to implement the proposed shared  
4 services model. The roadmap shall include  
5 recommendations on the transfer, coordination, and  
6 modernization of all information technology and  
7 telecommunication systems of all the state agencies in  
8 the state,
- 9 e. recommendations on the reallocation of information  
10 technology and telecommunication resources and  
11 personnel,
- 12 f. a cost benefit analysis to support the recommendations  
13 on the reallocation of information technology and  
14 telecommunication resources and personnel,
- 15 g. a calculation of the net savings realized through the  
16 reallocation and consolidation of information  
17 technology and telecommunication resources and  
18 personnel after compensating for the cost of  
19 contracting with a private consultant as authorized in  
20 paragraph 4 of this subsection, implementing the plan  
21 of action, and ongoing costs of the Information  
22 Services Division of the Office of Management and  
23 Enterprise Services, and  
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1           h.    the information required in subsection B of Section  
2                    35.5 of this title.

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

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

10          E.    The Chief Information Officer shall be authorized to employ  
11 personnel, fix the duties and compensation of the personnel, not  
12 otherwise prescribed by law, and otherwise direct the work of the  
13 personnel in performing the function and accomplishing the purposes  
14 of the Information Services Division of the Office of Management and  
15 Enterprise Services.

16          F.    The Information Services Division of the Office of  
17 Management and Enterprise Services shall be responsible for the  
18 following duties:

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

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

- 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 Management and Enterprise Services;
- 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 Management and  
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1 Enterprise Services to support the services provided by the Division  
2 and the execution of 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 Management and Enterprise Services;

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 Management and Enterprise Services and provide for agency  
13 feedback and 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 Management and Enterprise Services and recommend  
17 training programs to state agencies on information technology and  
18 telecommunication systems, 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 Management and  
22 Enterprise Services;

23 16. For all state agencies, approve the purchasing of all  
24 information technology and telecommunication services and approve  
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1 the purchase of any information technology and telecommunication  
2 product except the following:

3 a. a purchase less than or equal to Five Thousand Dollars  
4 (\$5,000.00) if such product is purchased using a state  
5 purchase card and the product is listed on either the  
6 Approved Hardware or Approved Software list located on  
7 the Office of Management and Enterprise Services  
8 website, or

9 b. a purchase over Five Thousand Dollars (\$5,000.00) and  
10 less than or equal to Twenty-five Thousand Dollars  
11 (\$25,000.00) if such product is purchased using a  
12 state purchase card, the product is listed on an  
13 information technology or telecommunications statewide  
14 contract, and the product is listed on either the  
15 Approved Hardware or Approved Software list located on  
16 the Office of Management and Enterprise Services  
17 website;

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

21 18. Effectively manage the design, implementation and support  
22 of complex, highly available infrastructure to ensure optimal  
23 performance, on-time delivery of features, and new products, and  
24 scalable growth;

1 19. Define and implement a governance model for requesting  
2 services and monitoring service level metrics for all shared  
3 services; and

4 20. Create the budget for the Information Services Division of  
5 the Office of Management and Enterprise Services to be submitted to  
6 the Legislature each year.

7 G. The State Governmental Technology Applications Review Board  
8 shall provide ongoing oversight of the implementation of the plan of  
9 action required in subsection D of this section. Any proposed  
10 amendments to the plan of action shall be approved by the Board  
11 prior to adoption.

12 H. 1. The Chief Information Officer shall act as the  
13 Information Technology and Telecommunications Purchasing Director  
14 for all state agencies and shall be responsible for the procurement  
15 of all information technology and telecommunication software,  
16 hardware, equipment, peripheral devices, maintenance, consulting  
17 services, high technology systems, and other related information  
18 technology, data processing, telecommunication and related  
19 peripherals and services for all state agencies. The Chief  
20 Information Officer shall establish, implement, and enforce policies  
21 and procedures for the procurement of information technology and  
22 telecommunication software, hardware, equipment, peripheral devices,  
23 maintenance, consulting services, high technology systems, and other  
24 related information technology, data processing, telecommunication  
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1 and related peripherals and services by purchase, lease-purchase,  
2 lease with option to purchase, lease and rental for all state  
3 agencies. The procurement policies and procedures established by  
4 the Chief Information Officer shall be consistent with The Oklahoma  
5 Central Purchasing Act.

6 2. The Chief Information Officer, or any employee or agent of  
7 the Chief Information Officer acting within the scope of delegated  
8 authority, shall have the same power and authority regarding the  
9 procurement of all information technology and telecommunication  
10 products and services as outlined in paragraph 1 of this subsection  
11 for all state agencies as the State Purchasing Director has for all  
12 acquisitions used or consumed by state agencies as established in  
13 The Oklahoma Central Purchasing Act. Such authority shall,  
14 consistent with the authority granted to the State Purchasing  
15 Director pursuant to Section 85.10 of Title 74 of the Oklahoma  
16 Statutes, include the power to designate financial or proprietary  
17 information submitted by a bidder confidential and reject all  
18 requests to disclose the information so designated, if the Chief  
19 Information Officer requires the bidder to submit the financial or  
20 proprietary information with a bid, proposal, or quotation.

21 I. The Information Services Division of the Office of  
22 Management and Enterprise Services and the Chief Information Officer  
23 shall be subject to The Oklahoma Central Purchasing Act for the  
24 approval and purchase of all equipment ~~and, products not related to~~

1 ~~information and telecommunications technology, equipment, software,~~  
2 ~~products and related peripherals,~~ and services and shall also be  
3 subject to the requirements of the Public Competitive Bidding Act of  
4 1974, the Oklahoma Lighting Energy Conservation Act and the Public  
5 Building Construction and Planning Act ~~when procuring data~~  
6 ~~processing, information technology, telecommunication, and related~~  
7 ~~peripherals and services and when constructing information~~  
8 ~~technology and telecommunication facilities, telecommunication~~  
9 ~~networks and supporting infrastructure.~~ The Chief Information  
10 Officer shall be authorized to delegate all or some of the  
11 procurement of information technology and telecommunication products  
12 and services and construction of facilities and telecommunication  
13 networks to another state entity if the Chief Information Officer  
14 determines it to be cost-effective and in the best interest of the  
15 state. The Chief Information Officer shall have authority to  
16 designate information technology and telecommunication contracts as  
17 statewide contracts and mandatory statewide contracts pursuant to  
18 Section 85.5 of Title 74 of the Oklahoma Statutes and to negotiate  
19 consolidation contracts, enterprise agreements and high technology  
20 systems contracts ~~in accordance with the procedures outlined in~~  
21 ~~Section 85.9D of Title 74 of the Oklahoma Statutes.~~ Any contract  
22 entered into by a state agency for which the Chief Information  
23 Officer has not acted as the Information Technology and  
24 Telecommunications Purchasing Director as required in this

1 subsection or subsection H of this section, shall be deemed to be  
2 unenforceable and the Office of Management and Enterprise Services  
3 shall not process any claim associated with the provisions thereof.

4 J. The Chief Information Officer shall establish, implement,  
5 and enforce policies and procedure for the development and  
6 procurement of an interoperable radio communications system for  
7 state agencies. The Chief Information Officer shall work with local  
8 governmental entities in developing the interoperable radio  
9 communications system.

10 K. The Chief Information Officer shall develop and implement a  
11 plan to utilize open source technology and products for the  
12 information technology and telecommunication systems of all state  
13 agencies.

14 L. All state agencies and authorities of this state and all  
15 officers and employees of those entities shall work and cooperate  
16 with and lend assistance to the Chief Information Officer and the  
17 Information Services Division of the Office of Management and  
18 Enterprise Services and provide any and all information requested by  
19 the Chief Information Officer.

20 M. The Chief Information Officer shall prepare an annual report  
21 detailing the ongoing net saving attributable to the reallocation  
22 and consolidation of information technology and telecommunication  
23 resources and personnel and shall submit the report to the Governor,  
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1 the Speaker of the Oklahoma House of Representatives, and the  
2 President Pro Tempore of the Oklahoma Senate.

3 N. For purposes of the Oklahoma Information Services Act,  
4 unless otherwise provided for, "state agencies" shall include any  
5 office, officer, bureau, board, commission, counsel, unit, division,  
6 body, authority or institution of the executive branch of state  
7 government, whether elected or appointed; provided, except with  
8 respect to the provisions of subsection D of this section, the term  
9 "state agencies" shall not include institutions within The Oklahoma  
10 State System of Higher Education, the Oklahoma State Regents for  
11 Higher Education and the telecommunications network known as OneNet.

12 O. As used in this section:

13 1. "High technology system" means advanced technological  
14 equipment, software, communication lines, and services for the  
15 processing, storing, and retrieval of information by a state agency;

16 2. "Consolidation contract" means a contract for several state  
17 or public agencies for the purpose of purchasing information  
18 technology and telecommunication goods and services; and

19 3. "Enterprise agreement" means an agreement for information  
20 technology or telecommunication goods and services with a supplier  
21 who manufactures, develops and designs products and provides  
22 services that are used by one or more state agencies.

1 SECTION 2. This act shall become effective November 1, 2024.

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3 59-2-9041 LRB 01/03/24

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