

ENGROSSED

ENGROSSED HOUSE

1 BILL NO. 1304 By: Derby of the House  
2 and  
3 Jolley and Brinkley of the Senate  
4 An Act relating to technology; providing for the  
5 transfer of all state agency information technology  
6 assets to the Information Services Division of the  
7 Office of State Finance; describing types of assets;  
8 providing for the transfer of certain state agency  
9 information technology employees to the Information  
10 Services Division of the Office of State Finance;  
11 including certain liabilities; stating legislative  
12 intent to retain certain pay and benefits; requiring  
13 certain conveyances and documents to be executed by a  
14 certain date; providing for the transfer of certain  
15 monies; requiring the State Auditor and Inspector to  
16 determine amount of certain funds to be transferred;  
17 providing for the succession of certain rights to the  
18 Information Services Division of the Office of State  
19 Finance; providing for nonapplicability of transfer  
20 requirements to nonappropriated agencies; defining  
21 certain terms; requiring state agencies to use  
22 certain information technology services and systems,  
23 programs, services, software and processes; providing  
24 for enforcement; prohibiting the expenditure or

1 encumbrance of any funds by state agencies for the  
2 procurement of certain technologies and services for  
3 certain time period; allowing exceptions by the Chief  
4 Information Officer; prohibiting state agencies from  
5 initiating or implementing certain information  
6 technology planned projects; allowing exceptions by  
7 the Chief Information Officer; specifying planned  
8 projects; defining term; providing for codification;  
9 and providing for noncodification.

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

11 SECTION 1. NEW LAW A new section of law to be  
12 codified in the Oklahoma Statutes as Section 34.11.3 of Title 62,  
13 unless there is created a duplication in numbering, reads as  
14 follows:

15 A. On the effective date of this act, all information  
16 technology assets of all appropriated state agencies shall be  
17 transferred to the Information Services Division of the Office of  
18 State Finance and the Chief Information Officer, including all  
19 furniture, equipment, vehicles, supplies, records, current and  
20 future liabilities, fund balances, encumbrances, obligations, and  
21 indebtedness associated with the information technology assets.

22 B. All employees of each appropriated state agency with job  
23 titles and duties that fall within the information technology  
24 occupational group on the effective date of this act, including  
25 related liabilities for sick leave, annual leave, holidays,  
26 unemployment benefits, and workers' compensation benefits accruing  
27 prior to the effective date of this act, to these personnel shall

1 be transferred to the Information Services Division of the Office  
2 of State Finance as of the effective date of this act. It is the  
3 intent of the Legislature that, to the extent possible, the  
4 Information Services Division of the Office of State Finance  
5 ensures that the employees retain pay and benefits, as much as  
6 possible, including longevity, dependent insurance benefits,  
7 seniority, rights, and other privileges or benefits.

8 C. Appropriate conveyances and other documents shall be  
9 executed by January 1, 2012, to effectuate the transfer of the  
10 information technology assets owned by each appropriated state  
11 agency to the Information Services Division of the Office of State  
12 Finance.

13 D. Any monies from appropriations, fees, licenses, or other  
14 similar types of monies that are for the operations and  
15 maintenance of information technology assets that are transferred  
16 as provided for in subsection A of this section and accrue in any  
17 funds or accounts before the effective date of this act, in the  
18 name of or maintained for the benefit of any appropriated state  
19 agency are transferred to the Information Services Division of the  
20 Office of State Finance.

21 E. The State Auditor and Inspector shall determine the  
22 amount of funds from available budgetary resources from each  
23 appropriated state agency, including any appropriated funds,  
24 revolving funds, or sinking funds, that should be transferred by  
25 the effective date of this act, to the Information Services  
26 Division of the Office of State Finance pursuant to this section  
27 for continued operation of transferred assets and for management

1 of the transferred employees, and shall determine the amount of  
2 funds that should be reserved to each appropriated state agency  
3 for payment of obligations incurred prior to the effective date of  
4 this act. The State Auditor shall consider relevant funding and  
5 expenditure history, projected expenditures and expenses and  
6 available budgetary resources in determining the amount to be  
7 transferred. The Director of the Office of State Finance is  
8 authorized and directed to coordinate and administer the funds  
9 transfer. From the effective date of this act, each appropriated  
10 state agency shall not spend or encumber more than the funds  
11 budgeted for information technology assets and employees without  
12 approval of the State Auditor and Inspector. Any extraordinary  
13 costs incurred by the State Auditor in performing the review may  
14 be subtracted from the amounts transferred on the effective date  
15 of this act, to the Information Services Division of the Office of  
16 State Finance.

17 F. The Information Services Division of the Office of State  
18 Finance shall succeed to any contractual rights, easement rights,  
19 lease rights, and responsibilities related to the information  
20 technology assets that are transferred as provided for in  
21 subsection A of this section and incurred by an appropriated state  
22 agency.

23 G. The provisions of this section shall not apply to  
24 nonappropriated state agencies.

25 H. For purposes of this section:

26 1. "Appropriated state agency" means any office, officer,

27 bureau, board, commission, counsel, unit, division, body,

1 authority or institution of the executive branch of state  
2 government, whether elected or appointed, that receives funding  
3 through the annual legislative appropriations process. The term  
4 appropriated state agency shall not include institutions within  
5 The Oklahoma State System of Higher Education, the Oklahoma State  
6 Regents for Higher Education, and the telecommunications network  
7 known as OneNet;

8 2. "Nonappropriated state agency" means any office,  
9 officer, bureau, board, commission, counsel, unit, division, body,  
10 authority or institution of the executive branch of state  
11 government, whether elected or appointed, that does not receive  
12 funding through the annual legislative appropriations process; and

13 3. "Information technology assets" means any equipment or  
14 interconnected system or subsystem of equipment that is used in  
15 the acquisition, storage, manipulation, management, movement,  
16 control, display, switching, interchange, transmission, or  
17 reception of data or information. The term shall include  
18 computers, ancillary equipment, software, firmware and similar  
19 procedures, services, including support services and consulting  
20 services, software development, and related resources.

21 SECTION 2. NEW LAW A new section of law to be  
22 codified in the Oklahoma Statutes as Section 34.11.4 of Title 62,  
23 unless there is created a duplication in numbering, reads as  
24 follows:

25 A. On the effective date of this act, all appropriated and  
26 nonappropriated state agencies shall be required to use the

27 following information technology services and systems operated and

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1 maintained by the Office of State Finance for all agency  
2 functions:

- 3 1. Data Service Center of the Divisions;
- 4 2. Networking services;
- 5 3. Communication or intercommunication systems;
- 6 4. Electronic mail systems; and
- 7 5. Data and network security systems.

8 B. On the effective date of this act, all appropriated and  
9 nonappropriated state agencies shall be required to exclusively  
10 use the following programs, services, software and processes  
11 provided through the Integrated Central Financial System known as  
12 CORE and as implemented by the Office of State Finance and shall  
13 not utilize any programs, services, software or processes that are  
14 duplicative of the following:

- 15 1. Payroll;
- 16 2. Employee leave system;
- 17 3. Human resources;
- 18 4. Accounts receivable;
- 19 5. Accounts payable;
- 20 6. Purchasing system;
- 21 7. Budgeting system;
- 22 8. Enterprise Learning Management (ELM);
- 23 9. Budget request system;
- 24 10. Asset management; and
- 25 11. Project grants and contracts, which includes federal

26 billing.

27 C. The Chief Information Officer shall have the authority

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1 to enforce the provisions of this section.

2 D. For purposes of this section, "appropriated state  
3 agency" and "nonappropriated state agency" shall be defined the  
4 same as provided for in Section 1 of this act.

5 SECTION 3. NEW LAW A new section of law not to be  
6 codified in the Oklahoma Statutes reads as follows:

7 A. Beginning on the effective date of this act and until  
8 July 1, 2011, no state agency shall expend or encumber any funds  
9 for the purchase, lease, lease-purchase, lease with option to  
10 purchase, rental or to otherwise procure any information  
11 technology assets, without the prior written approval of the Chief  
12 Information Officer.

13 B. Beginning on the effective date of this act and until  
14 July 1, 2011, no state agency shall initiate or implement an  
15 information technology planned project without the prior written  
16 approval of the Chief Information Officer. A planned project  
17 shall include any major project or objective included in the  
18 operations plan submitted by the agency to the Information  
19 Services Division of the Office of State Finance as required  
20 pursuant to Section 34.16 of Title 62 of the Oklahoma Statutes.

21 C. "Information technology assets" means any equipment or  
22 interconnected system or subsystem of equipment that is used in  
23 the acquisition, storage, manipulation, management, movement,  
24 control, display, switching, interchange, transmission, or  
25 reception of data or information. The term shall include

26 computers, ancillary equipment, software, firmware and similar  
27 procedures, services, including support services and consulting

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1 services, software development, and related resources.

2 Passed the House of Representatives the 16th day of March,  
3 2011.

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5 Presiding Officer of the House of  
6 Representatives

7 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2011.

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9 Presiding Officer of the Senate

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