

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 617, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Stanislawski

Stanislawski-MG-FS-Req#2005  
2/25/2019 2:04 PM

(Floor Amendments Only) Date and Time Filed: \_\_\_\_\_

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 617

6 By: Stanislawski

7 FLOOR SUBSTITUTE

8 [ public finance - Information Technology  
9 Consolidation and Coordination Act - Oklahoma State  
10 Department of Education - effective date ]

11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.11.1, as  
14 last amended by Section 2, Chapter 384, O.S.L. 2017 (62 O.S. Supp.  
15 2018, Section 34.11.1), is amended to read as follows:

16 Section 34.11.1. A. There is hereby created the position of  
17 Chief Information Officer who shall be appointed by the Governor.  
18 The Chief Information Officer, in addition to having authority over  
19 the Information Services Division of the Office of Management and  
20 Enterprise Services, shall also serve as Secretary of Information  
21 Technology and Telecommunications or successor cabinet position and  
22 shall have jurisdictional areas of responsibility related to  
23 information technology and telecommunications systems of all state  
24 agencies as provided for in state law. The salary of the Chief

1 Information Officer shall not be less than One Hundred Thirty  
2 Thousand Dollars (\$130,000.00) or more than One Hundred Sixty  
3 Thousand Dollars (\$160,000.00).

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

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

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

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

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

17 5. Experience in developing technology budgets;

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

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

22 8. Knowledge of telecommunications operations;

23

24

1           9. Ability to develop and set strategic direction for  
2 information technology and telecommunications and to manage daily  
3 development and operations functions;

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

5           11. Ability to analyze and resolve complex issues, both logical  
6 and interpersonal;

7           12. Effective verbal and written communications skills and  
8 effective presentation skills, geared toward coordination and  
9 education;

10          13. Ability to negotiate and defuse conflict; and

11          14. A self-motivator, independent, cooperative, flexible and  
12 creative.

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

24

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

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

- 18 a. define the shared service model organization structure  
19 and the reporting relationship of the recommended  
20 organization,
- 21 b. the implementation of an information technology and  
22 telecommunications shared services model that defines  
23 the statewide infrastructure environment needed by  
24 most state agencies that is not specific to individual

1 agencies and the shared applications that are utilized  
2 across multiple agencies,

3 c. define the services that shall be in the shared  
4 services model under the control of the Information  
5 Services Division of the Office of Management and  
6 Enterprise Services,

7 d. define the roadmap to implement the proposed shared  
8 services model. The roadmap shall include  
9 recommendations on the transfer, coordination, and  
10 modernization of all information technology and  
11 telecommunication systems of all the state agencies in  
12 the state,

13 e. recommendations on the reallocation of information  
14 technology and telecommunication resources and  
15 personnel,

16 f. a cost benefit analysis to support the recommendations  
17 on the reallocation of information technology and  
18 telecommunication resources and personnel,

19 g. a calculation of the net savings realized through the  
20 reallocation and consolidation of information  
21 technology and telecommunication resources and  
22 personnel after compensating for the cost of  
23 contracting with a private consultant as authorized in  
24 paragraph 4 of this subsection, implementing the plan

1 of action, and ongoing costs of the Information  
2 Services Division of the Office of Management and  
3 Enterprise Services, and

4 h. the information required in subsection B of Section  
5 35.5 of this title.

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

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

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

19 F. The Information Services Division of the Office of  
20 Management and Enterprise Services shall be responsible for the  
21 following duties:

22 1. Formulate and implement the information technology strategy  
23 for all state agencies;

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

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

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

9           5. Provide direction for the professional development of  
10 information technology staff of state agencies and oversee the  
11 professional development of the staff of the Information Services  
12 Division of the Office of Management and Enterprise Services;

13          6. Evaluate all technology and telecommunication investment  
14 choices for all state agencies;

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

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

22          9. Direct the development, implementation, and management of  
23 appropriate standards, policies and procedures to ensure the success  
24 of state information technology and telecommunication initiatives;



1       10. Recruit, hire and transfer the required technical staff in  
2 the Information Services Division of the Office of Management and  
3 Enterprise Services to support the services provided by the Division  
4 and the execution of the strategic information technology plan;

5       11. Establish, maintain, and enforce information technology and  
6 telecommunication standards;

7       12. Delegate, coordinate, and review all work to ensure quality  
8 and efficient operation of the Information Services Division of the  
9 Office of Management and Enterprise Services;

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

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

21       15. Provide counseling, performance evaluation, training,  
22 motivation, discipline, and assign duties for employees of the  
23 Information Services Division of the Office of Management and  
24 Enterprise Services;

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

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

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

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

23 18. Effectively manage the design, implementation and support  
24 of complex, highly available infrastructure to ensure optimal

1 performance, on-time delivery of features, and new products, and  
2 scalable growth;

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

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

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

14 H. 1. The Chief Information Officer shall act as the  
15 Information Technology and Telecommunications Purchasing Director  
16 for all state agencies and shall be responsible for the procurement  
17 of all information technology and telecommunication software,  
18 hardware, equipment, peripheral devices, maintenance, consulting  
19 services, high technology systems, and other related information  
20 technology, data processing, telecommunication and related  
21 peripherals and services for all state agencies. The Chief  
22 Information Officer shall establish, implement, and enforce policies  
23 and procedures for the procurement of information technology and  
24 telecommunication software, hardware, equipment, peripheral devices,

1 maintenance, consulting services, high technology systems, and other  
2 related information technology, data processing, telecommunication  
3 and related peripherals and services by purchase, lease-purchase,  
4 lease with option to purchase, lease and rental for all state  
5 agencies. The procurement policies and procedures established by  
6 the Chief Information Officer shall be consistent with The Oklahoma  
7 Central Purchasing Act.

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

23       I. The Information Services Division of the Office of  
24 Management and Enterprise Services and the Chief Information Officer

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

1 agency for which the Chief Information Officer has not acted as the  
2 Information Technology and Telecommunications Purchasing Director as  
3 required in this subsection or subsection H of this section, shall  
4 be deemed to be unenforceable and the Office of Management and  
5 Enterprise Services shall not process any claim associated with the  
6 provisions thereof.

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

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

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

23 M. The Chief Information Officer shall prepare an annual report  
24 detailing the ongoing net saving attributable to the reallocation

1 and consolidation of information technology and telecommunication  
2 resources and personnel and shall submit the report to the Governor,  
3 the Speaker of the House of Representatives, and the President Pro  
4 Tempore of the Senate.

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

14 O. With the exception of network hosting, data hosting, network  
15 security, server security and software support, the provisions of  
16 this section shall not apply to the Oklahoma State Department of  
17 Education. Internal help desk support for employees of the Oklahoma  
18 State Department of Education shall be jointly provided by the  
19 Information Services Division of the Office of Management and  
20 Enterprise Services and the Information Services Division of the  
21 Oklahoma State Department of Education.

22 P. As used in this section:  
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1        1. "High technology system" means advanced technological  
2 equipment, software, communication lines, and services for the  
3 processing, storing, and retrieval of information by a state agency;

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

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

11        SECTION 2. This act shall become effective November 1, 2019.

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13        57-1-2005            MG            2/25/2019 2:04:18 PM

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