

# An Act

ENROLLED SENATE  
BILL NO. 1153

By: Barrington of the Senate

and

Terrill, Roan and Tibbs of  
the House

An Act relating to communications; specifying the duties of the Oklahoma Office of Homeland Security regarding certain communications within the state; providing intent of the Legislature regarding certain communication systems; prohibiting use of state funds under certain circumstances; amending 62 O.S. 2001, Sections 41.5i, as last amended by Section 5, Chapter 266, O.S.L. 2006 and 41.5j, as amended by Section 6, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Sections 41.5i and 41.5j), which relate to the Information Services Division of the Office of State Finance; modifying certain powers and duties; modifying certain exception; prohibiting the use of state funds by state agencies under certain circumstances; providing method for acquiring, developing, or enhancing certain communication systems; authorizing certain proposal; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 51.1a of Title 74, unless there is created a duplication in numbering, reads as follows:

A. In addition to the powers and duties as defined elsewhere in statute, the Oklahoma Office of Homeland Security has the duty and responsibility for interoperable public safety communications planning within the State of Oklahoma. As part of this duty the Oklahoma Office of Homeland Security shall:

1. Annually develop and report to the Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives, the Statewide Communications Interoperability Plan;

2. Coordinate statewide planning for public safety communication needs of state government and state emergency responders, including a migration plan for state agency use of public safety communications technologies and rendering of aid between state government and its political subdivisions for organizing and use of disparate public safety communications systems;

3. Serve as a focal point for all state-level projects involving public safety communications vendors where the focus of such authority can substantially enhance the state communications plan or savings;

4. Apply for, receive, and hold, or assist state agencies in applying for, receiving, or holding such authorizations, licenses, and allocations of channels and frequencies to carry out the purposes of this section;

5. Establish minimum standards and protocols for acquisition, development, or enhancement of public safety communications technologies. These standards shall be utilized by the Information Services Division of the Office of State Finance pursuant to the provisions of Section 41.5i of Title 62 of the Oklahoma Statutes; and

6. Accomplish such other purposes as may be necessary or incidental to the administration of its authority or functions pursuant to law.

B. It is the intent of the Legislature that all state public entities comply with the provisions of the Statewide Communications Interoperability Plan issued by the Oklahoma Office of Homeland

Security. All state agencies are required to review the provisions of the Statewide Communications Interoperability Plan and the public safety communications standards issued by the Oklahoma Office of Homeland Security prior to the purchase, acquisition, development, or enhancement of any public safety communications system. Local public safety agencies and political subdivisions of the state are encouraged, but not required, to review the provisions of the Statewide Communications Interoperability Plan and the public safety communications standards issued by the Oklahoma Office of Homeland Security prior to the purchase, acquisition, development, or enhancement of any public safety communications system to assist the local public safety agency or political subdivision in purchasing decisions.

C. No state agency shall use state funds or enter into any agreement for the acquisition, development, or enhancement of a public safety communication system unless the request is consistent with the Statewide Communications Interoperability Plan and the public safety communications standards issued by the Oklahoma Office of Homeland Security.

SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.5i, as last amended by Section 5, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5i), is amended to read as follows:

Section 41.5i In addition to the powers and duties as defined elsewhere in this title, the Information Services Division of the Office of State Finance shall:

1. Coordinate statewide planning for communication and telecommunications needs of state government, including, but not limited to, voice, data, radio, video, Internet, eGovernment, as referenced in Sections 41.5p and 41.5q of this title, and facsimile transmissions through analysis of the telecommunications and information technology plan of each agency;

2. ~~Establish~~ In coordination with the Oklahoma Office of Homeland Security, establish minimum mandatory standards and protocols for:

a. communication networks and equipment,

- b. wide area and local area systems,
- c. integration of equipment, systems and joint usage,
- d. Internet and eGovernment,
- e. operating systems or methods to be used to meet communications requirements efficiently, effectively, and securely,
- f. rendering of aid between state government and its political subdivisions with respect to organizing of communications systems, and
- g. an economical and cost-effective utilization of communication services.

The standards and protocols shall be compatible with the standards and protocols established for the Oklahoma Government Telecommunications Network created in Section 41.5m of this title;

3. Serve as a focal point for all statewide projects involving current communications vendors where the focus of such authority can substantially enhance the state communications plan or the savings which can be achieved thereunder;

4. Provide, when requested by political subdivisions of the state, for the organizing of communications or telecommunications systems and service between the state and its political subdivisions and enter into agreements to effect the purposes of this section;

5. Cooperate with any federal, state or local emergency management agency in providing for emergency communications and telecommunication services;

6. Apply for, receive, and hold, or assist agencies in applying for, receiving or holding such authorizations, licenses and allocations of channels and frequencies to carry out the purposes of this section;

7. Accomplish such other purposes as may be necessary or incidental to the administration of its authority or functions pursuant to law; and

8. Provide support for telecommunication networks of state agencies through analysis of the telecommunications needs and requirements of each agency and promotion of the use of the Oklahoma Government Telecommunications Network created in Section 41.5m of this title.

SECTION 3. AMENDATORY 62 O.S. 2001, Section 41.5j, as amended by Section 6, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2008, Section 41.5j), is amended to read as follows:

Section 41.5j A. No agency of the executive branch of the state shall use state funds for or enter into any agreement for the acquisition, development or enhancement of a communication or telecommunication system including voice, data, radio, video, Internet, eGovernment, as referenced in Sections 41.5p and 41.5q of this title, and facsimile systems, without written authorization of the Director of State Finance. The Director of State Finance shall verify that any acquisition, development or enhancement is compatible with the operation of the Oklahoma Government Telecommunications Network created in Section 41.5m of this title.

B. No agency of the executive branch of the state shall enter into any agreement for the acquisition, development or enhancement of a communication or telecommunication system or service including voice, data, radio, video, Internet, eGovernment, and facsimile systems, unless the cost of such addition, change, improvement or development has been included in the statewide communications plan of the Information Services Division, as said plan may have been amended or revised.

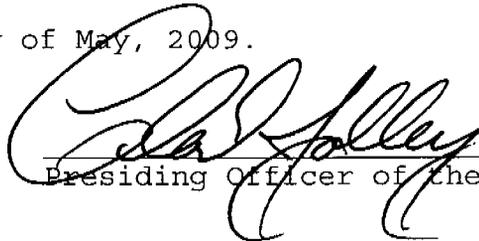
C. State agencies may enter into interagency contracts to share communications and telecommunications resources for mutually beneficial purposes. The contract shall clearly state how its purpose contributes to the development or enhancement or cost reduction of a state network which includes voice, data,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

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

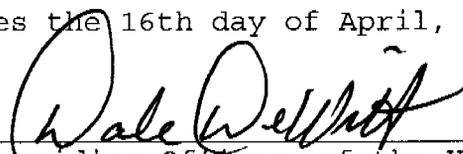
E. No state agency shall use state funds or enter into any agreement for the acquisition, development or enhancement of a public safety communication system unless the request is consistent with the Statewide Communications Interoperability Plan and the public safety communications standards issued by the Oklahoma Office of Homeland Security. Agencies interested in acquiring, developing or enhancing a public safety communications system shall submit a proposal to the Oklahoma Office of Homeland Security. The Oklahoma Office of Homeland Security shall issue a proposal review which summarizes whether the proposal is consistent with the Statewide Communications Interoperability Plan and the technology standards issued. The proposal review shall be submitted to the requesting agency and to the Director of State Finance.

SECTION 4. This act shall become effective November 1, 2009.

Passed the Senate the 12th day of May, 2009.

  
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Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2009.

  
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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 13<sup>th</sup>  
day of May, 2009,  
at 1:34 o'clock P M.

By: [Signature]

Approved by the Governor of the State of Oklahoma the 19<sup>th</sup> day of  
May, 2009, at 11:49 o'clock P M.

[Signature]  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this \_\_\_\_\_  
19<sup>th</sup> day of May, 2009,  
at 1:11 o'clock P M.

By: M. Susan Lewis