

1 SB382  
2 128220-1  
3 By Senator Ross  
4 RFD: Governmental Affairs  
5 First Read: 12-APR-11

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: This bill would expressly allow any state  
9 entity to use open source software in lieu of  
10 proprietary software whenever feasible.

11  
12 A BILL  
13 TO BE ENTITLED  
14 AN ACT

15  
16 Relating to computers and technology used by state  
17 agencies and entities; to expressly allow any state entity to  
18 use open source software in lieu of proprietary software  
19 whenever feasible; and to authorize the Finance Department to  
20 promulgate rules and regulations to implement and administer  
21 this act.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Notwithstanding any provision of law to  
24 the contrary, any state agency or entity that uses computer  
25 technology may use open source software in lieu of proprietary  
26 software when doing so would not compromise the  
27 confidentiality, nature, or integrity of the work or the

1 product sought. For purposes of this act, open source software  
2 is that software that the end-user licensing agreement allows  
3 a user to modify and distribute the software, as opposed to  
4 proprietary software that typically prohibits reverse  
5 engineering.

6 (b) The Finance Department shall promulgate rules  
7 and regulations to implement and administer this act.

8 Section 2. This act shall become effective on the  
9 first day of the third month following its passage and  
10 approval by the Governor, or its otherwise becoming law.