STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1309   By: Montgomery

AS INTRODUCED

An Act relating to information technology;
establishing exemption from payment for certain
information technology projects unless hours are
verifiable by automatic billing verification
software; providing requirements for such automatic
billing verification software; requiring that
software be procured from independent entity;
providing for limit on transfer of data by
contractor; providing exemptions; 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 34.204 of Title 62, unless there

is created a duplication in numbering, reads as follows:

A. For any information technology that is more than one (1)

year behind schedule, or for which the amount spent on the project

is at least One Million Dollars ($1,000,000.00) more than the

original cost estimate for the project, state agencies shall not pay

for hours worked on a computer and billed by the hour to the state

unless those hours are verifiable by data generated by automatic

billing verification software.

B. Any such automatic billing verification software shall meet all of the following requirements:

1. Automatically count and report the number of keystrokes and mouse events, but shall not record the actual keystrokes or mouse events;

2. Automatically take a screenshot on a regular basis, but not less than once every six (6) minutes; and

3. Meet all state and federal privacy and confidentiality laws and protect all data that is private or confidential on individuals.

C. The software shall be procured by the contractor from an independent entity. The data collected by the automatic billing verification software shall be considered financial records belonging to the contractor, who shall not sell or transfer the data or use it in any other manner than to verify and manage hours worked on a computer and billed to the state.

D. The provisions of this section shall not apply to:

1. State employees;

2. Departments contracting with other departments;

3. Law enforcement agencies or contracts with any agency which is the custodian of Criminal Justice Information as defined in Federal Bureau of Investigation Criminal Justice Information Services Security Policy; and

4. Any individual who works for a contractor that performs work on a state-owned device.

1   SECTION 2.   This act shall become effective November 1, 2020.

2

3   57-2-3050   MG   1/13/2020 11:41:12 AM

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24