

# House Bill 2005

Sponsored by Representative READ; Representatives BARNHART, RILEY

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Task Force on Open Source Adoption. Requires task force to evaluate feasibility of adopting open source software and open standards for use in state government. Requires task force to report findings and recommendations to Director of Oregon Department of Administrative Services and to Seventy-fifth Legislative Assembly.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the Task Force on Open Source Adoption; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) There is created the Task Force on Open Source Adoption, consisting of**  
5 **seven members appointed by the Director of the Oregon Department of Administrative Ser-**  
6 **vices as follows:**

7 (a) **Two members from the open source software development community;**

8 (b) **Two members from the department or other state agencies with expertise in infor-**  
9 **mation technology deployment and usage in state government;**

10 (c) **One member from the Department of Justice with expertise in intellectual property**  
11 **law;**

12 (d) **One member from the Oregon University System with expertise in computer science;**  
13 **and**

14 (e) **One member from private industry with expertise in open source software deployment**  
15 **and usage in a business context.**

16 (2) **The task force shall evaluate the feasibility of adopting open source software, open**  
17 **file formats and other open standards for use in state government. The evaluation shall in-**  
18 **clude, but not be limited to, assessments of open source software and open standards with**  
19 **respect to these concerns:**

20 (a) **Availability, suitability and capability of open source software solutions and open**  
21 **standards for tasks needed in state government;**

22 (b) **Development and support costs and resource availability in the development commu-**  
23 **nity and in state government;**

24 (c) **Comparisons of open source software and open standards solutions with solutions of-**  
25 **fered by proprietary software and standards;**

26 (d) **Licensing, copyright, intellectual property and related legal issues; and**

27 (e) **Other issues related to deploying and using open source software or open standards**  
28 **in state government that the task force identifies.**

29 (3) **The task force may:**

30 (a) **Develop criteria for evaluating open source software and open standards for use in**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 state government;

2 (b) Seek expert opinions and testimony when necessary to obtain needed information and  
3 expertise;

4 (c) Recommend legislation or changes to administrative rules when necessary or war-  
5 ranted; and

6 (d) Make other recommendations concerning the deployment and use of open source  
7 software and open standards in state government as the task force deems necessary or ad-  
8 visable.

9 (4) A majority of the members of the task force constitutes a quorum for the transaction  
10 of business.

11 (5) Official action by the task force requires the approval of a majority of the members  
12 of the task force.

13 (6) The Director of the Oregon Department of Administrative Services shall select one  
14 member of the task force to serve as chairperson and another to serve as vice chairperson,  
15 for the terms and with the duties and powers necessary for the performance of the functions  
16 of such offices as the director determines.

17 (7) If there is a vacancy for any cause, the director shall make an appointment to become  
18 immediately effective.

19 (8) The task force shall meet at times and places specified by the call of the chairperson  
20 or of a majority of the members of the task force.

21 (9) The task force may adopt rules necessary for the operation of the task force.

22 (10) The task force shall report its findings and recommendations to the Director of the  
23 Oregon Department of Administrative Services and to the Seventy-fifth Legislative Assembly  
24 in the manner provided by ORS 192.245 no later than October 1, 2008.

25 (11) The Oregon Department of Administrative Services shall provide staff support to the  
26 task force.

27 (12) Members of the task force are not entitled to compensation, but may be reimbursed  
28 for actual and necessary travel and other expenses incurred by them in the performance of  
29 their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-  
30 penses shall be paid out of funds appropriated to the Oregon Department of Administrative  
31 Services for that purpose.

32 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist  
33 the task force in the performance of its duties and, to the extent permitted by laws relating  
34 to confidentiality, to furnish such information and advice as the members of the task force  
35 consider necessary to perform their duties.

36 **SECTION 2.** Section 1 of this 2007 Act is repealed on the date of the convening of the next  
37 regular biennial legislative session.

38 **SECTION 3.** This 2007 Act being necessary for the immediate preservation of the public  
39 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect  
40 on its passage.