

Senate Bill 1088

Sponsored by Senator WOODS

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells state agencies to buy normal business software by means of an online portal. Allows the agencies to buy the software through their usual buying processes. Takes effect 91 days after the session ends. (Flesch Readability Score: 60.9).

Requires contracting agencies to purchase common off-the-shelf software or other information technology products or services that do not require customization through an information technology marketplace portal. Authorizes the State Chief Information Officer to select and preapprove an information technology marketplace portal for use. Specifies features that the information technology marketplace portal must have. Exempts purchases through the information technology marketplace portal from the application of certain provisions of the Public Contracting Code.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to information technology; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 279B.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **“Common off-the-shelf software” means a predeveloped software product or service**
7 **that is commercially available for a broad user base, has a standardized set of features and**
8 **does not otherwise require extensive customization for use on most common information**
9 **technology platforms or in most common information technology environments.**

10 (b) **“Information technology marketplace portal” means a structured and curated digital**
11 **catalog from which a contracting agency can identify, select, purchase and obtain or receive**
12 **delivery of common off-the-shelf software and other standardized information technology**
13 **products and services at predetermined prices and discounts.**

14 (2) **A contracting agency shall purchase common off-the-shelf software, or other infor-**
15 **mation technology products or services that do not require extensive customization to meet**
16 **the contracting agency’s specifications, from an information technology marketplace portal**
17 **if:**

18 (a) **The State Chief Information Officer has preapproved the information technology**
19 **marketplace portal for use under subsection (3) of this section;**

20 (b) **The contracting agency’s specifications for the information technology do not require**
21 **extensive customization;**

22 (c) **The price, applicable discounts, time of delivery or other terms and conditions related**
23 **to the purchase are more favorable to the contracting agency than other purchase methods**
24 **would be; and**

25 (d) **The total value of the purchase does not exceed a cap that the State Chief Informa-**
26 **tion Officer specifies by rule.**

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 **(3) The State Chief Information Officer shall select by means of a competitive process,**
2 **and preapprove for use by contracting agencies, one or more information technology mar-**
3 **ketplace portals that the State Chief Information Officer determines will provide the best**
4 **value to the state. An information technology marketplace portal that the State Chief In-**
5 **formation Officer selects and preapproves must, at a minimum, offer:**

6 **(a) Software, data and services that contracting agencies require for common business**
7 **tasks;**

8 **(b) Products and services from both the person that provides and maintains the infor-**
9 **mation technology marketplace portal and, on an equal basis and without favor or discrimi-**
10 **nation, from third parties, including third parties that are headquartered in, have a principal**
11 **place of business in or are otherwise based in this state;**

12 **(c) Competitive pricing and a sufficiently large and wide range of products or services**
13 **necessary to meet the needs of contracting agencies in this state, including software, soft-**
14 **ware as a service, professional services, large datasets, machine learning algorithms and**
15 **images;**

16 **(d) Extensive capability for searching and filtering by price, features, vendor or product**
17 **name, platform, feature set, compliance standard and other appropriate selection criteria;**

18 **(e) Transactional capability for immediate purchases that allows for accepting purchase**
19 **orders, negotiated contracts and a variety of payment instruments;**

20 **(f) A high level of security and confidentiality and an ability to view and verify the use**
21 **of security protocols that apply to searches and purchases; and**

22 **(g) Any other features the State Chief Information Officer specifies by rule.**

23 **(4) A contracting agency's purchase by means of an information technology marketplace**
24 **portal under subsection (2) of this section is not subject to the provisions of ORS 279B.055,**
25 **279B.060, 279B.070 or 279B.075.**

26 **SECTION 3.** **The State Chief Information Officer shall conclude the competitive process**
27 **described in section 2 (3) of this 2025 Act not later than December 31, 2026, and shall approve**
28 **an information technology marketplace portal for contracting agencies to use not later than**
29 **January 1, 2027.**

30 **SECTION 4.** **This 2025 Act takes effect on the 91st day after the date on which the 2025**
31 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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