

- SUBJECT:** Revising state records management and storage processes
- COMMITTEE:** State Affairs — committee substitute recommended
- VOTE:** 11 ayes — Phelan, Deshotel, Guerra, Harless, Holland, Hunter, P. King, Parker, Raymond, E. Rodriguez, Springer
- 2 absent — Hernandez, Smithee
- WITNESSES:** For — (*Registered, but did not testify:* Russell Mullins, Alterity Solutions, Inc.; Deborah Giles, Texas Technology Consortium; Joe Buser, Traveling Coaches, Inc.)
- Against — None
- On — (*Registered, but did not testify:* Craig Kelso, Texas State Library and Archives Commission)
- BACKGROUND:** Government Code sec. 441.183 outlines records management requirements for the head of each state agency, including to establish and maintain a records management program on a continuing and active basis.
- Sec. 2054.0286 requires the executive director of the Department of Information Resources to employ a statewide data coordinator to improve the control and security of information collected by state agencies, promote information sharing between agencies, and reduce information collection costs.
- HB 8 by Capriglione, the Texas Cybersecurity Act, enacted in 2017 required the Department of Information Resources and the Texas State Library and Archives Commission to conduct a study on state agency digital data storage and records management practices and the associated costs. The study recommended revising the processes, policies, and systems relating to state records management and storage to reduce costs associated with unnecessarily stored data and to standardize the use of best practices across state agencies.

DIGEST: CSHB 1784 would require the Texas State Library and Archives Commission (TSLAC) to employ a state information governance coordinator in its records management division.

The coordinator would:

- ensure records management programs for all media types were implemented by state agencies;
- assist state agencies in complying with records management programs;
- increase overall awareness and outreach for state agency records management programs; and
- coordinate with the Department of Information Resources (DIR) to ensure agencies complied with state law on the preservation and management of state records and the bill's provisions relating to the use of a statewide technology center for long-term storage.

As part of a records management program, a state agency other than an institution of higher education would have to require training for employees annually and upon hire on the records management program, including the agency's approved records retention schedule.

At the initiation of a project, a state agency would be required to classify the data produced from or used in the project and determine appropriate data security and retention requirements for each classification.

The bill would require TSLAC to maintain and operate a digital repository for the preservation of and access to permanently valuable archival state records, reports, and publications. TSLAC, in coordination with DIR, would develop a strategy that was consistent with state records management and archival practices for state agencies to transfer appropriate archival state records that were in electronic format to TSLAC for inclusion in the digital repository.

The bill would require DIR, in collaboration with TSLAC, to develop a

strategy for the use of a statewide technology center for long-term non-archival records storage.

CSHB 1784 would reclassify the statewide data coordinator as the chief data officer and would expand the position's duties to include assisting DIR in the development and management of a data portal for state agencies. The chief data officer would encourage agencies to collect and post on their websites or data portal information related to the agency's functions or other maintained data.

Each state agency with more than 150 full-time employees would have to designate a data management officer to coordinate with the chief data officer and consider posting the agency's open data on the data portal.

The bill would take effect September 1, 2019.

**NOTES:**

According to the Legislative Budget Board, the bill would have a negative impact of about \$164,000 to general revenue related funds through fiscal 2020-21.