

BILL ANALYSIS

Senate Research Center

H.B. 1788
By: Pitts (Hegar)
Government Organization
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, state agencies have separate information technology planning and reporting requirements that could be integrated to provide a more complete understanding of the state's activities and direction in this area. In addition, separate agency strategic plans are required for information resources and all other operations and separate reports are required regarding the status of TexasOnline, the use of the Internet in training, and access to information resources by individuals with disabilities.

H.B. 1788 consolidates state agencies' information resources planning and analysis and performance reporting.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Department of Information Resources is modified in SECTION 9 (Section 2054.0965, Government Code) of this bill.

Rulemaking authority previously granted to the Department of Information Resources is rescinded in SECTION 12 (Section 2054.464, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 531.0273(a), Government Code, as follows:

- (a) Requires the Health and Human Services Commission (HHSC) to develop a coordinated strategic plan for information resources management that is consistent with the state strategic plan for information resources developed under Chapter 2054 (Information Resources). Requires HHSC to review and approve the information resources deployment review, rather than the information resources management, and biennial operating plan of each health and human services agency.

SECTION 2. Amends Section 2054.007(b), Government Code, to provide that the electronic funds transfer system for the operation of the state lottery is not included in the information resources deployment review, rather than the agency strategic plan, or the biennial operating plan of the comptroller of public accounts (comptroller).

SECTION 3. Amends Sections 2054.055(a) and (b), Government Code, as follows:

- (a) Requires the board of the Department of Information Resources (board; DIR) to review and approve and requires DIR to present a report on the use of information resources technologies by state government not later than November 15, rather than November 1, of each even-numbered year.

- (b) Requires the report, among other things, to describe certain issues related to the TexasOnline project, provide a financial summary of the TexasOnline project, provide a summary of the amount and use of Internet-based training conducted by each state agency and institution of higher education, and provide a summary of agency and statewide results in providing access to electronic and information resources to individuals with disabilities as required by Subchapter M (Access to Electronic and Information Resources by Individuals With Disabilities). Deletes existing text requiring the report to include a list compiled by DIR's program management office of information

gathered under Sections 2055.152 (Strategic and Biennial Operating Plans) and 2055.153 (Reports on Electronic Government Projects).

SECTION 4. Amends Subchapter C, Chapter 2054, Government Code, by adding Section 2054.0551, as follows:

Sec. 2054.0551. AUTOMATED INFORMATION SYSTEMS REPORT. (a) Requires DIR, in coordination with the Legislative Budget Board, the Texas Building and Procurement Commission, and the comptroller, to prepare a report assessing the current automated information systems of state agencies. Sets forth certain information required to be included in the report.

(b) Requires DIR to submit the report to the governor, lieutenant governor, speaker of the house of representatives, and state auditor not later than December 31 of each odd-numbered year.

SECTION 5. Amends Section 2054.071(a), Government Code, as follows:

(a) Requires the presiding officer of the governing body of a state agency, if the agency is governed by one or more fully paid full-time state officials, and otherwise the executive director of the agency, or the designated representative of the presiding officer or executive director, to serve as the agency's information resources manager.

SECTION 6. Amends the heading to Subchapter E, Chapter 2054, Government Code, to read as follows:

SUBCHAPTER E. STRATEGIC AND OPERATING PLANS; INFORMATION
RESOURCES DEPLOYMENT REVIEW

SECTION 7. Amends Section 2054.092(b), Government Code, to delete existing text requiring the plan to establish reporting guidelines for state agencies to report certain items in agency strategic plans.

SECTION 8. Amends Section 2054.095, Government Code, as follows:

Sec. 2054.095. New heading: AGENCY INFORMATION RESOURCES STRATEGIC PLANNING INSTRUCTIONS. (a) Requires DIR to prepare instructions for use by state agencies in preparing the strategic plan required by Section 2056.002. Deletes existing text requiring each state agency to prepare an agency strategic plan for information resources management.

(b) Requires instructions under Subsection (a), except as otherwise modified by the Legislative Budget Board or the governor, to require each state agency's strategic plan to include certain descriptions and other planning components. Deletes existing text requiring the agency strategic plan to be signed by the presiding officer of the governing body of the state agency if the agency is governed by one or more fully paid full-time state officials, and otherwise by the executive director of the agency. Deletes existing Subsection (c) requiring DIR to prescribe the format required for an agency strategic plan. Deletes existing Subsection (d) requiring DIR to adopt instructions that guide state agencies in the preparation of their agency strategic plan.

SECTION 9. Amends Subchapter E, Chapter 2054, Government Code, by adding Section 2054.0965, as follows:

Sec. 2054.0965. INFORMATION RESOURCES DEPLOYMENT REVIEW. (a) Requires a state agency, not later than December 1 of each odd-numbered year, to complete a review of the operational aspects of the agency's information resources deployment following instructions developed by DIR.

(b) Requires the review to contain certain information, except as otherwise modified by rules adopted by DIR.

SECTION 10. Amends Section 2054.097, Government Code, as follows:

Sec. 2054.097. New heading: ANALYSIS OF INFORMATION RESOURCES DEPLOYMENT REVIEW. (a) Requires a state agency to send its information resources deployment review to the quality assurance team for analysis. Deletes existing text requiring a state agency to send its strategic plan to the quality assurance team and DIR for review.

(a-1) Requires DIR to require the agency to develop a corrective action plan that specifies the manner in which deficiencies will be corrected if DIR determines that an agency's deployment decision is not in compliance with the state strategic plan, a state statute, or DIR rules or standards.

(b) Authorizes any member of the quality assurance team to report to the governor and the presiding officer of each house of the legislature that an agency's deployment decision is not in compliance with the state strategic plan, a state statute, or DIR rules or standards. Deletes existing text requiring DIR, in coordination with the quality assurance team, to report to the agency, and authorizes DIR and the team to report to the governor and the presiding officer of each house of the legislature, that an agency strategic plan or plan amendment is not in compliance with the state strategic plan or best suited to the state agency's execution of its own duty.

SECTION 11. Amends Section 2054.1015, Government Code, by adding Subsections (e) and (f), as follows:

(e) Requires DIR to specify hardware configurations for state commodity items in its instructions for the preparation of planned procurement schedules.

(f) Requires each state agency to use the hardware configurations specified under Subsection (e) in developing the agency's planned procurement schedules.

SECTION 12. Amends Section 2054.464, Government Code, to require DIR to adopt guidelines, rather than rules, regarding an electronic and information resources state agency survey and state agency reporting requirements for implementation of this subchapter. Deletes existing text providing that the electronic and information resources state agency survey is conducted annually.

SECTION 13. Amends Section 2056.002(b) and (d), Government Code, as follows:

(b) Requires a plan to include, among other things, an analysis of the strategic use of information resources as provided by the instructions prepared under Section 2054.095.

(d) Requires a state agency to provide one copy of each plan to certain entities, including DIR.

SECTION 14. Repealer: Sections 2054.096 (Content of Agency Strategic Plan) and 2054.156(c) (requiring the agency's information resources manager to demonstrate in the agency strategic plan the extent to which the agency uses its internal quality assurance procedures), Government Code.

SECTION 15. Provides that a state agency is not required to comply with Sections 2054.1015(e) and (f), Government Code, as added by this Act, until DIR specifies hardware configurations for state commodity items as required by those subsections.

SECTION 16. Effective date: September 1, 2007.