

## **BILL ANALYSIS**

Senate Research Center  
80R3152 TAD-F

S.B. 757  
By: Hegar  
Government Organization  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, management of the state telecommunications system is governed by the Telecommunications Planning and Oversight Council (council).

In addition, current statute defines "telecommunications services" as intercity communications facilities or services. This wording limits the state's authority to provide a wide array of long distance services and local voice service within rural areas. With advances in technology, there is no longer a distinct delineation between local and long distance voice services.

As proposed, S.B. 757 transfers the authority of the council to the board of directors of the Department of Information Resources. This bill also redefines "telecommunications services" to make it consistent with current technology and regulation.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2054.051, Government Code, by adding Subsection (g), to require the Department of Information Resources (DIR) to establish plans and policies for the system of telecommunications services managed and operated by DIR.

SECTION 2. Amends Section 2054.055(b), Government Code, to require the report on the use of information resources technologies by state government to assess the progress made toward accomplishing the goals of the plan for a state telecommunications network and to develop a system of telecommunications services as provided by Subchapter H.

SECTION 3. Amends Section 2054.091(d), Government Code, to delete existing text requiring the telecommunications planning and oversight council to appoint one of its members to serve as a member of the advisory committee to assist in the preparation of the state strategic plan.

SECTION 4. Amends Section 2054.092(b), Government Code, to require the state strategic plan to provide information about best practices to assist state agencies in adopting methods for design, deployment, and management of telecommunications services.

SECTION 5. Amends the heading to Subchapter H, Chapter 2054, Government Code, to read as follows:

#### **SUBCHAPTER H. TELECOMMUNICATIONS PLANNING**

SECTION 6. Amends Sections 2054.203(a), (b), and (g), Government Code, to delete existing text referring to the telecommunications planning and oversight council and instead refer to DIR. Makes conforming changes.

SECTION 7. Amends Sections 2054.204(a) and (c), Government Code, as follows:

(a) Makes conforming changes.

(c) Requires the executive director of DIR (executive director) to appoint an advisory committee that consists of representatives of state agencies, including institutions of higher education, telecommunication vendors, and customers of the state telecommunications network in order to advise DIR in developing the state strategic plan. Makes conforming changes.

SECTION 8. Amends Section 2054.205, Government Code, to make conforming changes.

SECTION 9. Amends Section 2054.2051(a), (b), and (c), Government Code, to make conforming changes.

SECTION 10. Amends Section 2170.001(a)(1), Government Code, to redefine "telecommunications services."

SECTION 11. Amends Section 2170.002, Government Code, as follows:

Sec. 2170.002. New heading: DEPARTMENT GENERALLY RESPONSIBLE FOR OBTAINING TELECOMMUNICATIONS SERVICES. (a) Creates this subsection from existing text.

(b) Authorizes a state agency to choose to procure local telecommunications services provided over converged networks either through DIR or by using any other authorized procurement method, notwithstanding Subsection (a) of this section, Section 2170.051, or other law. Provides that a state agency is not required to comply with Section 2170.051(c) or (d) in procuring such services.

SECTION 12. Repealer: Section 2054.201 (Composition; Terms), 2054.202 (Administrative Provisions), 2054.2025 (Limitation of Liability), 2054.203(c) and (d) (regarding the telecommunications planning and oversight council), 2054.2051(d) (regarding the telecommunications planning and oversight council), 2054.206 (Annual Report), 2054.207 (Report to Legislature), and 2170.060 (Quarterly Report), Government Code.

SECTION 13. (a) Abolishes the telecommunications planning and oversight council.

(b) Provides that a rule, form, plan, policy, or order of the telecommunications planning and oversight council is continued in effect as a rule, form, plan, policy, or order of DIR until superseded by a rule or other appropriate action of DIR.

SECTION 14. Effective date: September 1, 2007.