

BILL ANALYSIS

C.S.H.B. 1576
By: Gallego
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Senate Bill 311, 77th Texas Legislature, significantly reorganized and renamed the Telecommunication Planning and Oversight Council (TPOC). The goal of TPOC is to centralize the State's telecommunications network by developing a plan for a state telecommunications network that effectively and efficiently meets state government's long term requirements for voice, video, and data communications. TPOC is charged with the oversight of the State's telecommunication networks, including the Texas Agency Network (TEX-AN), and the Capitol Complex Telephone Network (CCTS).

Current law governing the operation of the TPOC contains a number of provisions that may be inefficient or may conflict with other provisions. The purposes of C.S.H.B. 1576 are to clarify these laws and strengthen TPOC by adding a representative of the Health and Human Services Commission, staggering members' terms, limiting members' liability, and repealing a repetitive section of code.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

C.S.H.B. 1576 amends Section 2054, Government Code, Subchapter H, as follows:

- Provides that TPOC include a representative of the Health and Human Services Commission.
- Provides staggered terms for TPOC members, except for representatives of the Comptroller, the Building and Procurement Commission, and the Health and Human Services Commission.
- Provides that TPOC's annual report is due not later than November 1.
- Provides that a TPOC member is not liable in a civil action for an act performed in good faith in the performance of the member's functions.
- Repeals Section 2054.205(c) which authorized TPOC to perform duties including negotiating rates and executing contracts with telecommunication service providers.

C.S.H.B. 1576 also contains intent language regarding the appointment of council members and their terms.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill included language which clarified that the Department of Information Resources was responsible for negotiating rates and executing contracts with telecommunications service providers. The substitute accomplishes this same result by repealing the provision giving TPOC authority in this regard.