

By: Pitts

H.B. No. 1308

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a return on investment program for certain major state
3 information technology projects.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2055.001(1), Government Code, is amended
6 to read as follows:

7 (1) "Board," "department," "electronic government
8 project," "executive director," "local government," "major
9 information resources project," and "TexasOnline" have the
10 meanings assigned by Section 2054.003.

11 SECTION 2. Chapter 2055, Government Code, is amended by
12 adding Subchapter E to read as follows:

13 SUBCHAPTER E. RETURN ON INVESTMENT PROGRAM

14 Sec. 2055.201. CREATION OF PROGRAM. The office shall
15 implement a return on investment program for selected major
16 information resources projects to quantify, measure, evaluate, and
17 verify technology investment benefits for the government and
18 residents of this state.

19 Sec. 2055.202. RESPONSIBILITY FOR PROGRAM. The office is
20 responsible for the outcomes, costs, and timeliness of all major
21 information resources projects selected under this subchapter.

22 Sec. 2055.203. PERFORMANCE MEASURES AND GOALS. (a) The
23 office shall outline broad goals to measure the success, cost, and
24 long-term return on investment presented for each major information

1 resources project.

2 (b) The office shall establish budgetary performance
3 measures that quantify the actual return on investment on
4 completion of projects.

5 Sec. 2055.204. GENERAL OVERSIGHT OF PROGRAM; AUDITS AND
6 REPORTS. (a) The quality assurance team of the Legislative Budget
7 Board shall oversee the program.

8 (b) The quality assurance team of the Legislative Budget
9 Board may require periodic reports or audits from state agencies
10 for projects selected under this subchapter.

11 Sec. 2055.205. SELECTION OF MAJOR PROJECTS. (a) The
12 quality assurance team of the Legislative Budget Board shall select
13 major information resources projects for the return on investment
14 program.

15 (b) Each state agency with a project selected under this
16 subchapter shall, in consultation with the office, submit an
17 implementation plan to the department that demonstrates how:

18 (1) the agency will seek cooperative and collaborative
19 efforts from other state agencies; and

20 (2) the project will:

21 (A) benefit individuals in this state and the
22 state as a whole;

23 (B) use, to the fullest extent, technology owned
24 or adapted by other state agencies;

25 (C) employ, to the fullest extent, the
26 department's information technology standards, including
27 Internet-based technology standards;

1 (D) easily expand, to the fullest extent, to
2 serve other residents of this state or other state agencies;

3 (E) develop on time and on budget;

4 (F) produce quantifiable returns on investment;
5 and

6 (G) meet any other criteria developed by the
7 department or the quality assurance team of the Legislative Budget
8 Board.

9 (c) If a selected project involves more than one state
10 agency, the state agencies may jointly submit a plan for the project
11 under Subsection (b).

12 (d) The department and the quality assurance team shall
13 review and consider whether to approve or reject a plan.

14 (e) The department and the quality assurance team may
15 consider the past performance of a state agency or a vendor in
16 deciding whether to approve or reject a plan.

17 Sec. 2055.206. APPROVAL REQUIRED FOR MAJOR PROJECTS TO
18 PROCEED; LIMIT ON FUNDING. (a) A major information resources
19 project selected under this subchapter may not proceed:

20 (1) without approval under Section 2055.205; or

21 (2) if the quality assurance team of the Legislative
22 Budget Board determines that the project is not sufficiently sound
23 to receive funding under the program.

24 (b) A state agency that is not allowed to proceed under this
25 section may not seek funding from other sources for the selected
26 project.

27 Sec. 2055.207. FUNDING FOR PROGRAM. The return on

1 investment program shall be funded from a percentage of money
2 appropriated to or budgeted by state agencies for the major
3 information resources projects designated by the legislature under
4 Section 2054.003. The legislature shall prescribe the percentage
5 or percentages, as applicable, in the General Appropriations Act.

6 Sec. 2055.208. REIMBURSEMENT FOR MAJOR PROJECT EXPENSES.

7 (a) As a major information resources project selected and approved
8 under this subchapter proceeds, a state agency that incurs costs
9 for the project may periodically request reimbursement from money
10 budgeted for the project or authority to obligate that money for
11 payment of project costs, as applicable.

12 (b) The agency must obtain approval from the executive
13 director before receiving reimbursement or obligating money for
14 payment of project costs. The executive director shall approve a
15 request under this section if:

16 (1) the involved state agencies, vendors, or other
17 sponsors demonstrate to the executive director's satisfaction that
18 the project is generally proceeding according to the approved
19 return on investment plan; and

20 (2) the total amount requested for that project:

21 (A) does not exceed the approved amount budgeted
22 for the project; or

23 (B) does exceed the approved amount budgeted for
24 the project, but the excess amounts are to be paid out of existing
25 funds appropriated to the relevant budget strategy of that state
26 agency that may be spent on the project.

27 (c) If multiple state agencies are involved under

1 Subsection (b)(2)(B), the executive director shall approve the
2 amounts paid or obligated in amounts proportionate to each agency's
3 financial participation in the project.

4 (d) If the executive director approves the request, the
5 executive director shall notify the comptroller to release the
6 budgeted money to the state agency or obligate the money for payment
7 of project costs, as applicable.

8 Sec. 2055.209. APPEAL OF DECISIONS. (a) A state agency
9 that disagrees with the executive director's failure to approve a
10 request under Section 2055.208(b) may appeal to the quality
11 assurance team of the Legislative Budget Board.

12 (b) If a state agency disagrees with the quality assurance
13 team's decision under Subsection (a) or Section 2055.206, the
14 agency may appeal to the Legislative Budget Board.

15 Sec. 2055.210. REPORT. (a) The office shall identify and
16 report all cost savings and cost avoidance amounts from its
17 activities under this subchapter to:

18 (1) the department; and

19 (2) the quality assurance team of the Legislative
20 Budget Board.

21 (b) The office shall also send its report under Subsection
22 (a) to the Legislative Oversight Committee for Electronic
23 Government Projects. This subsection expires December 31, 2004.

24 SECTION 3. (a) Except as provided by Subsection (b) of this
25 section, this Act takes effect September 1, 2003.

26 (b) Sections 2055.205(d) and (e), 2055.206, and 2055.208,
27 Government Code, as added by this Act, take effect February 1, 2004.