

1-1 By: Gallego (Senate Sponsor - Shapleigh) H.B. No. 1576  
1-2 (In the Senate - Received from the House May 5, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on State  
1-4 Affairs; May 22, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-6 May 22, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1576 By: Armbrister

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the telecommunications planning and oversight council.  
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-12 SECTION 1. Sections 2054.201(a) and (b), Government Code,  
1-13 are amended to read as follows:  
1-14 (a) The telecommunications planning and oversight council  
1-15 is composed of:  
1-16 (1) a representative of the comptroller's office,  
1-17 appointed by the comptroller;  
1-18 (2) the executive director of the Telecommunications  
1-19 Infrastructure Fund Board;  
1-20 (3) a representative of the Texas Building and  
1-21 Procurement Commission, appointed by the executive director of the  
1-22 commission;  
1-23 (4) a member representing the interests of state  
1-24 agencies with 1,000 employees or more, appointed by the lieutenant  
1-25 governor;  
1-26 (5) a member representing the interests of state  
1-27 agencies with fewer than 1,000 employees, appointed by the  
1-28 governor, in consultation with the speaker of the house of  
1-29 representatives;  
1-30 (6) a member representing the interests of  
1-31 institutions of higher education, appointed by the commissioner of  
1-32 higher education;  
1-33 (7) a member representing the interests of The  
1-34 University of Texas System, appointed by the chancellor;  
1-35 (8) a member representing the interests of The Texas  
1-36 A&M University System, appointed by the chancellor;  
1-37 (9) a member representing the interests of public  
1-38 school districts that are customers of the consolidated  
1-39 telecommunications system, appointed by the governor;  
1-40 (10) a member representing the interests of local  
1-41 governments that are customers of the consolidated  
1-42 telecommunications system, appointed by the governor; ~~and~~  
1-43 (11) two public members with telecommunications  
1-44 expertise, appointed by the governor; and  
1-45 (12) a representative of the Health and Human Services  
1-46 Commission, appointed by the commissioner of health and human  
1-47 services.  
1-48 (b) Appointed members of the telecommunications planning  
1-49 and oversight council serve staggered two-year terms, with the  
1-50 terms of four or five members expiring August 31 each year, except  
1-51 that:  
1-52 (1) the representative of the comptroller's office  
1-53 serves at the discretion of the comptroller;  
1-54 (2) ~~and~~ the representative of the Texas Building and  
1-55 Procurement Commission serves at the discretion of the executive  
1-56 director of the commission; and  
1-57 (3) the representative of the Health and Human  
1-58 Services Commission serves at the discretion of the commissioner of  
1-59 health and human services.  
1-60 SECTION 2. Section 2054.206, Government Code, is amended to  
1-61 read as follows:  
1-62 Sec. 2054.206. ANNUAL REPORT. The telecommunications  
1-63 planning and oversight council shall submit an annual report not

2-1 later than November 1 to the department and to each entity served by  
2-2 the consolidated telecommunications system or the centralized  
2-3 capitol complex telephone system. The report must include:

2-4 (1) information about the accomplishment of service  
2-5 objectives and other performance measures for management of the  
2-6 consolidated telecommunications system and the centralized capitol  
2-7 complex telephone system;

2-8 (2) information about the accounting and financial  
2-9 performance of the consolidated telecommunications system and the  
2-10 centralized capitol complex telephone system;

2-11 (3) estimates of savings to entities served by the  
2-12 consolidated telecommunications system over standard rates  
2-13 available to state agencies that [~~who~~] acquire telecommunications  
2-14 services directly;

2-15 (4) trends in network use, including the number of  
2-16 users, workstations, and locations supported; and

2-17 (5) rate information for services provided by the  
2-18 consolidated telecommunications system and the centralized capitol  
2-19 complex telephone system.

2-20 SECTION 3. Subchapter H, Chapter 2054, Government Code, is  
2-21 amended by adding Section 2054.2025 to read as follows:

2-22 Sec. 2054.2025. LIMITATION OF LIABILITY. A member of the  
2-23 telecommunications planning and oversight council is not liable in  
2-24 a civil action for an act performed in good faith in the performance  
2-25 of the member's functions.

2-26 SECTION 4. Section 2054.205(c), Government Code, is  
2-27 repealed.

2-28 SECTION 5. (a) When the terms of the members of the  
2-29 telecommunications planning and oversight council first expire  
2-30 after the effective date of this Act:

2-31 (1) the lieutenant governor and the speaker of the  
2-32 house of representatives shall each appoint one member, and the  
2-33 governor shall appoint two members, according to Section 2054.201,  
2-34 Government Code, for terms expiring on the first August 31  
2-35 occurring after the effective date of this Act; and

2-36 (2) the commissioner of higher education, the  
2-37 chancellor of The University of Texas System, and the chancellor of  
2-38 The Texas A&M University System shall each appoint one member, and  
2-39 the governor shall appoint two members, according to Section  
2-40 2054.201, Government Code, for terms expiring on the second August  
2-41 31 occurring after the effective date of this Act.

2-42 (b) Promptly after this Act takes effect, the commissioner  
2-43 of health and human services shall appoint a representative to the  
2-44 telecommunications planning and oversight council.

2-45 SECTION 6. This Act takes effect immediately if it receives  
2-46 a vote of two-thirds of all the members elected to each house, as  
2-47 provided by Section 39, Article III, Texas Constitution. If this  
2-48 Act does not receive the vote necessary for immediate effect, this  
2-49 Act takes effect September 1, 2003.

2-50 \* \* \* \* \*