

By: Pitts

H.B. No. 2067

A BILL TO BE ENTITLED

AN ACT

relating to the Department of Information Resources' management of certain electronic and telecommunications projects.

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

SECTION 1. Section 2054.003, Government Code, as amended by Chapters 1272 and 1422, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Subdivision (16) to read as follows:

(16) "Quality assurance team" means the quality assurance team established under Section 2054.158.

SECTION 2. Section 2054.091(b), Government Code, is amended to read as follows:

(b) In preparing the state strategic plan, the executive director shall assess and report on:

(1) practices of state agencies regarding information resources management, including interagency and interbranch communication and interagency resource sharing;

(2) current and future information resources management technologies and practices and their potential application to state government; ~~and~~

(3) any return on investment guidelines established in the strategic plan and used to develop and implement major information resources projects; and

(4) any issue the department determines is relevant to

1 the development of the state strategic plan.

2 SECTION 3. Section 2054.092, Government Code, is amended to  
3 read as follows:

4 Sec. 2054.092. CONTENT OF STATE STRATEGIC PLAN. (a) The  
5 state strategic plan must be prepared in coordination with the  
6 quality assurance team and state agency information resources  
7 managers.

8 (b) The plan must:

9 (1) provide a strategic direction for information  
10 resources management in state government for the five fiscal years  
11 following adoption of the plan;

12 (2) outline a state information architecture that  
13 contains a logically consistent set of principles, policies, and  
14 standards to guide the engineering of state government's  
15 information technology systems and infrastructure in a way that  
16 ensures compatibility and alignment with state government's needs;

17 (3) designate critical electronic government projects  
18 to be directed by the department, including a project for  
19 enterprise resource planning and a project for electronic  
20 purchasing;

21 (4) establish~~[, including providing]~~ a best practices  
22 model to assist state agencies in adopting effective information  
23 management methods, including the design, deployment, and  
24 management of information resources projects, cost-benefit  
25 analyses, and staff reengineering methods to take full advantage of  
26 technological advancements ~~[and obtaining effective information~~  
27 ~~resources technologies]~~;

1           (5) establish reporting guidelines for state agencies  
2 to report in [~~(2) provide guidance to state agencies in the~~  
3 ~~development of the~~] agency strategic plans:

4           (A) the outcomes and progress related to the  
5 strategic direction of the state;

6           (B) information necessary to evaluate  
7 opportunities for information technology consolidation;

8           (C) progress toward implementing electronic  
9 government projects designated under Subdivision (3);

10           (D) the return on investment for projects and  
11 cost-benefit models for the projects; and

12           (E) other provisions in this section;

13           (6) [~~(3)~~] establish goals and objectives relating to  
14 information resources management, including guidelines on  
15 achieving a positive return on investment;

16           (7) [~~(4)~~] provide long-range policy guidelines for  
17 information resources in state government, including the  
18 implementation of national, [~~and~~] international, and department  
19 standards for information resources technologies;

20           (8) [~~(5)~~] identify major issues faced by state  
21 agencies related to the acquisition of computer hardware, computer  
22 software, and information resources technology services, and  
23 develop a statewide approach to address the issues, including:

24           (A) performance measures for purchasing and  
25 contracting; and

26           (B) opportunities to reuse computer software  
27 code purchased with public funds [~~relating to improved information~~

1 ~~resources management, including the identification of needed~~  
2 ~~procurement policy initiatives to encourage competition between~~  
3 ~~providers of information resources technologies]; and~~

4 (9) [(6)] identify priorities for:

5 (A) the implementation of information resources  
6 technologies according to the relative economic and social impact  
7 on the state; and

8 (B) return on investment and cost-benefit  
9 analysis strategies.

10 SECTION 4. Section 2054.096(a), Government Code, is amended  
11 to read as follows:

12 (a) Each agency strategic plan must be consistent with the  
13 state strategic plan and include:

14 (1) a statement of the state agency's goals,  
15 objectives, and programs as found in the agency's legislative  
16 appropriations request;

17 (2) a description of the agency's major data bases and  
18 their applications;

19 (3) a description of the agency's information  
20 resources management organizations, policies, and practices;

21 (4) a description of interagency computer networks in  
22 which the agency participates;

23 (5) a statement of the strategic objectives of the  
24 agency relating to information resources management for the next  
25 five fiscal years, beginning with the fiscal year during which the  
26 plan is submitted, with a description of how those objectives help  
27 achieve the agency's programs and goals, and a description of how

1 those objectives support and promote the goals and policies of the  
2 state strategic plan; ~~and~~

3 (6) a description of any information resources  
4 technology projects proposed by the agency, including:

5 (A) a statement of how the projects relate to  
6 similar projects, as identified by the department, implemented or  
7 proposed by other agencies; ~~and~~

8 (B) a description of any proposed plans for  
9 coordinating the projects with other agencies;

10 (C) how projects proposed or described under this  
11 subsection will be developed to provide a quantifiable return on  
12 investment; and

13 (D) a detailed description of the past  
14 performance of projects implemented under this subsection;

15 (7) the status of the agency's quality assurance  
16 initiatives for:

17 (A) security; and

18 (B) major information resources projects;

19 (8) a description of measures taken by the agency to  
20 comply with department rules and standards; and

21 (9) [~~7~~] other planning components that the  
22 Legislative Budget Board may prescribe.

23 SECTION 5. Section 2054.097, Government Code, is amended to  
24 read as follows:

25 Sec. 2054.097. REVIEW OF AGENCY STRATEGIC PLAN. (a) A  
26 state agency shall send its strategic plan to the quality assurance  
27 team [~~Legislative Budget Board~~] and the department for review.

1 (b) The [~~Legislative Budget Board or the~~] department, in  
2 coordination with the quality assurance team, shall [~~may~~] report to  
3 the agency, and may report to the governor [~~, the state auditor,~~] and  
4 the presiding officer of each house of the legislature, that an  
5 agency strategic plan or plan amendment is not in compliance with  
6 the state strategic plan or best suited to the state agency's  
7 execution of its own duty.

8 SECTION 6. Sections 2054.100(a) and (b), Government Code,  
9 are amended to read as follows:

10 (a) Each state agency shall submit an operating plan to the  
11 Legislative Budget Board, the department, and the governor each  
12 state fiscal biennium in accordance with the directions of the  
13 Legislative Budget Board.

14 (b) The plan must describe the agency's current and proposed  
15 projects for the biennium, including how the projects will:

16 (1) benefit individuals in this state and benefit the  
17 state as a whole;

18 (2) use, to the fullest extent, technology owned or  
19 adapted by other state agencies;

20 (3) employ, to the fullest extent, the department's  
21 information technology standards, including Internet-based  
22 technology standards;

23 (4) expand, to the fullest extent, to serve residents  
24 of this state or to serve other state agencies;

25 (5) develop on time and on budget;

26 (6) produce quantifiable returns on investment; and

27 (7) meet any other criteria developed by the

1 department or the quality assurance team.

2 SECTION 7. Section 2054.102, Government Code, is amended to  
3 read as follows:

4 Sec. 2054.102. EVALUATION AND APPROVAL OF OPERATING PLANS.

5 (a) The Legislative Budget Board may specify procedures for the  
6 submission, review, approval, and disapproval of biennial  
7 operating plans and amendments, including procedures for review or  
8 reconsideration of the Legislative Budget Board's disapproval of a  
9 biennial operating plan or biennial operating plan amendment.

10 (b) The Legislative Budget Board may not approve the state  
11 strategic plan until the department certifies that the operating  
12 plan complies with department standards and provisions contained in  
13 the state strategic plan. The board shall adopt rules as necessary  
14 to establish the department standards.

15 SECTION 8. Section 2054.1181, Government Code, is amended  
16 by amending Subsection (a) and adding Subsections (d) and (e) to  
17 read as follows:

18 (a) The quality assurance team, in coordination with the  
19 governor, [department] shall [~~create a division in the department~~  
20 ~~to~~ oversee the implementation of major information resources  
21 projects. As part of this oversight, the team shall provide risk  
22 management and quality assurance services for the projects.

23 (d) The quality assurance team shall evaluate major  
24 information resources projects to determine if the projects are  
25 operating on time and within budget.

26 (e) If the quality assurance team determines that a major  
27 information resources project is poorly managed or has excessive

1 cost overruns, the quality assurance team may, subject to  
2 Legislative Budget Board approval:

3 (1) establish a corrective action plan, including  
4 modifications to the design, deployment, or costs related to the  
5 project; or

6 (2) discontinue the project.

7 SECTION 9. The heading to Subchapter G, Chapter 2054,  
8 Government Code, is amended to read as follows:

9 SUBCHAPTER G. [~~INTERNAL~~] QUALITY ASSURANCE

10 SECTION 10. Subchapter G, Chapter 2054, Government Code, is  
11 amended by adding Section 2054.158 to read as follows:

12 Sec. 2054.158. QUALITY ASSURANCE TEAM. The department, in  
13 cooperation with the Legislative Budget Board and the state  
14 auditor, shall create a quality assurance team using employees from  
15 each agency.

16 SECTION 11. Sections 2054.2051(b) and (c), Government Code,  
17 are amended to read as follows:

18 (b) The telecommunications planning and oversight council  
19 shall develop performance measures to establish cost-effective  
20 [for the] operations and staffing [staff] of the consolidated  
21 telecommunications system and the centralized capitol complex  
22 telephone system.

23 (c) The telecommunications planning and oversight council  
24 shall review every three months the status of all projects related  
25 to and the financial performance of the consolidated  
26 telecommunications system and the centralized capitol complex  
27 telephone system, including:



1           (1) a comparison between actual performance and  
2 projected goals; and

3           (2) any benefit of contracting with private vendors to  
4 provide some or all of the systems.

5           SECTION 12. Section 2055.001, Government Code, is amended  
6 by amending Subdivision (1) and adding Subdivision (5) to read as  
7 follows:

8           (1) "Board," "department," "electronic government  
9 project," "local government," "quality assurance team," and  
10 "TexasOnline" have the meanings assigned by Section 2054.003.

11           (5) "Consortia project" means an electronic  
12 government project involving multiple state agencies and designed  
13 to establish common information resources infrastructure.

14           SECTION 13. Section 2055.052, Government Code, is amended  
15 to read as follows:

16           Sec. 2055.052. GENERAL POWERS AND DUTIES. The office  
17 shall:

18           (1) establish and support standard business practices  
19 for electronic government projects;

20           (2) coordinate and establish standards for  
21 implementation of electronic government projects;

22           (3) identify and incorporate best practices for  
23 electronic government projects in such areas as:

24                   (A) the procurement of hardware, software, and  
25 technology services;

26                   (B) project support;

27                   (C) implementation strategies;

- 1 (D) project planning and scheduling;
- 2 (E) quality assurance;
- 3 (F) overall team coordination;
- 4 (G) status reporting; and
- 5 (H) technical standards; and

6 (4) establish, direct, and provide risk management and  
7 quality assurance services for consortia [~~electronic government~~]  
8 projects.

9 SECTION 14. Section 2055.054, Government Code, is amended  
10 to read as follows:

11 Sec. 2055.054. COORDINATION AMONG STATE AGENCIES; APPROVAL  
12 OF SPENDING. (a) In coordination with the Legislative Budget Board  
13 and the governor [~~comptroller~~], the office shall:

14 (1) identify the resources necessary for projects and  
15 opportunities among multiple state agencies for the coordination of  
16 electronic government projects; and

17 (2) approve spending of money for electronic  
18 government projects by affected state agencies under Section  
19 2055.101.

20 (b) The office, in coordination with state agency  
21 information resources managers, shall create state agency  
22 coordination teams, as appropriate, to reduce information  
23 technology expenditures and eliminate unnecessary duplication.

24 SECTION 15. Section 2055.055(c), Government Code, is  
25 amended to read as follows:

26 (c) The office, in coordination with the quality assurance  
27 team, shall recommend [~~establish~~] standards to the department for

1 state agencies to follow in implementing:

2 (1) selected electronic government projects to ensure  
3 maximum savings through cooperation among agencies;

4 (2) major information resources projects; and

5 (3) consortia projects.

6 SECTION 16. Section 2055.057, Government Code, is amended  
7 to read as follows:

8 Sec. 2055.057. FUNDING FOR PROGRAM MANAGEMENT OFFICE AND  
9 CERTAIN PROJECTS. (a) In coordination with the governor  
10 [~~comptroller, Governor's Office of Budget and Planning, state~~  
11 ~~auditor,~~] and Legislative Budget Board, including the quality  
12 assurance team, the office shall develop a model for funding  
13 consortia projects [~~the office~~] from a portion of the money  
14 appropriated for technology components to be consolidated by  
15 projects selected under Section 2055.101, including staff  
16 necessary for the office to implement the consortia projects. The  
17 model must:

18 (1) describe how to provide the office with the  
19 staffing and other resources necessary for the office to manage the  
20 projects it selects; and

21 (2) establish savings and cost avoidance that result  
22 from the consortia projects.

23 (b) The department, in coordination with the quality  
24 assurance team, shall recommend to the Legislative Budget Board and  
25 the governor a proposal [~~may include in its appropriations request~~  
26 ~~a proposal~~] for funding projects selected under Section 2055.101.

27 SECTION 17. Subchapter B, Chapter 2055, Government Code, is

1 amended by adding Section 2055.060 to read as follows:

2 Sec. 2055.060. PERFORMANCE MEASURES. The department, in  
3 coordination with the Legislative Oversight Committee for  
4 Electronic Government Projects, shall consult with the Legislative  
5 Budget Board to establish a performance measure for the office that  
6 identifies the amount of savings and cost avoidance that the office  
7 achieves.

8 SECTION 18. Sections 2055.101(a) and (c), Government Code,  
9 are amended to read as follows:

10 (a) The office, in coordination with the governor and the  
11 quality assurance team, [~~state auditor, and Legislative Budget~~  
12 ~~Board,~~] shall develop selection criteria for the type of electronic  
13 government projects that require direct oversight by the office.  
14 The criteria must include:

15 (1) issues related to interagency cooperation and  
16 implementation;

17 (2) costs, including reimbursement strategies;

18 (3) requirements for authentication and security  
19 implications; and

20 (4) the state's strategic vision regarding electronic  
21 government projects.

22 (c) Based on any selection criteria adopted under  
23 Subsection (b) [~~and in coordination with the governor, state~~  
24 ~~auditor, and Legislative Budget Board~~], the office may, subject to  
25 the approval of the governor and the quality assurance team, select  
26 proposed or existing electronic government projects, including  
27 consortia projects.

1 SECTION 19. Section 2055.153(a), Government Code, is  
2 amended to read as follows:

3 (a) In coordination with the quality assurance team [~~of the~~  
4 ~~Legislative Budget Board~~] and the state auditor, the office shall  
5 establish a state agency reporting system that requires state  
6 agencies to report to the office on:

7 (1) electronic government projects selected under  
8 Section 2055.101 so that the office may effectively monitor those  
9 projects; and

10 (2) all other electronic government projects for that  
11 agency.

12 SECTION 20. Subchapter D, Chapter 2055, Government Code, is  
13 amended by adding Section 2055.154 to read as follows:

14 Sec. 2055.154. REPORT ON FUNDING MODEL AND PERFORMANCE  
15 MEASURES. The office shall track its progress against the funding  
16 model established under Section 2055.057 and the performance  
17 measures established under Section 2055.060. The office shall  
18 regularly report on the progress to:

19 (1) each state agency with a project selected under  
20 Section 2055.101;

21 (2) the quality assurance team;

22 (3) the Legislative Oversight Committee for  
23 Electronic Government Projects;

24 (4) the governor;

25 (5) the speaker of the house of representatives;

26 (6) the lieutenant governor; and

27 (7) the presiding officer of each committee in the

1 legislature with primary oversight over the department.

2 SECTION 21. Section 2054.1181(c), Government Code, is  
3 repealed.

4 SECTION 22. To allow state agencies to reduce design and  
5 software licensing costs, the Department of Information Resources  
6 shall coordinate with the governor to move control of the  
7 GovernmentDomain.com Internet website to the department and to  
8 expand the website. The website must include telecommunications  
9 billing software developed by the Texas Legislative Council.

10 SECTION 23. This Act takes effect September 1, 2003.