

By: Swinford

H.B. No. 3004

A BILL TO BE ENTITLED

AN ACT

relating to state management and use of information and information technology.

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

SECTION 1. Subchapter C, Chapter 2054, Government Code, is amended by adding Section 2054.0525 to read as follows:

Sec. 2054.0525. ENHANCEMENT AND IMPROVEMENT OF INFORMATION CAPABILITIES; RULES. (a) The department may perform any action necessary or desirable to enhance and improve state government's information resources technologies, including actions designed to:

(1) enhance the state's information resources and data processing capabilities;

(2) improve the state's telecommunications capabilities; and

(3) improve the effectiveness and efficiency of electronic government projects or other projects that use information resources technologies.

(b) The department may adopt rules to implement this section.

SECTION 2. Section 2055.001(1), Government Code, is amended to read as follows:

(1) "Board," "department," "electronic government project," "executive director," "local government," "major information resources project," and "TexasOnline" have the

1 meanings assigned by Section 2054.003.

2 SECTION 3. Chapter 2055, Government Code, is amended by
3 adding Subchapter E to read as follows:

4 SUBCHAPTER E. RETURN ON INVESTMENT PROGRAM

5 Sec. 2055.201. CREATION OF PROGRAM. The office shall
6 implement a return on investment program for selected major
7 information resources projects to quantify, measure, evaluate, and
8 verify technology investment benefits for the government and
9 residents of this state.

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

13 Sec. 2055.203. PERFORMANCE MEASURES AND GOALS. (a) The
14 office shall outline broad goals to measure the success, cost, and
15 long-term return on investment presented for each major information
16 resources project.

17 (b) The office shall establish budgetary performance
18 measures that quantify the actual return on investment on
19 completion of projects.

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

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

26 Sec. 2055.205. SELECTION OF MAJOR PROJECTS. (a) The
27 quality assurance team of the Legislative Budget Board shall select

1 major information resources projects for the return on investment
2 program.

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

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

8 (2) the project will:

9 (A) benefit individuals in this state and the
10 state as a whole;

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

13 (C) employ, to the fullest extent, the
14 department's information technology standards, including
15 Internet-based technology standards;

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

18 (E) develop on time and on budget;

19 (F) produce quantifiable returns on investment;

20 and

21 (G) meet any other criteria developed by the
22 department or the quality assurance team of the Legislative Budget
23 Board.

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

27 (d) The department and the quality assurance team shall

1 review and consider whether to approve or reject a plan.

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

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

8 (1) without approval under Section 2055.205; or

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

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

15 Sec. 2055.207. FUNDING FOR PROGRAM. The return on
16 investment program shall be funded from a percentage of money
17 appropriated to or budgeted by state agencies for the major
18 information resources projects designated by the legislature under
19 Section 2054.003. The legislature shall prescribe the percentage
20 or percentages, as applicable, in the General Appropriations Act.

21 Sec. 2055.208. REIMBURSEMENT FOR MAJOR PROJECT EXPENSES.

22 (a) As a major information resources project selected and approved
23 under this subchapter proceeds, a state agency that incurs costs
24 for the project may periodically request reimbursement from money
25 budgeted for the project or authority to obligate that money for
26 payment of project costs, as applicable.

27 (b) The agency must obtain approval from the executive

1 director before receiving reimbursement or obligating money for
2 payment of project costs. The executive director shall approve a
3 request under this section if:

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

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

9 (A) does not exceed the approved amount budgeted
10 for the project; or

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

15 (c) If multiple state agencies are involved under
16 Subsection (b)(2)(B), the executive director shall approve the
17 amounts paid or obligated in amounts proportionate to each agency's
18 financial participation in the project.

19 (d) If the executive director approves the request, the
20 executive director shall notify the comptroller to release the
21 budgeted money to the state agency or obligate the money for payment
22 of project costs, as applicable.

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

27 (b) If a state agency disagrees with the quality assurance

1 team's decision under Subsection (a) or Section 2055.206, the
2 agency may appeal to the Legislative Budget Board.

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

6 (1) the department; and

7 (2) the quality assurance team of the Legislative
8 Budget Board.

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

12 SECTION 4. Subchapter D, Chapter 201, Transportation Code,
13 is amended by adding Section 201.2036 to read as follows:

14 Sec. 201.2036. REVIEW OF INFORMATION SYSTEMS. (a) The
15 department shall contract with independent specialists with
16 extensive knowledge of evolving legacy systems for a comprehensive
17 review of the department's information systems.

18 (b) The review must include:

19 (1) identification and solicitation of information
20 from major internal and external customer and user groups to
21 determine and plan for the department's information system product
22 and service needs;

23 (2) evaluation of the extent to which the department's
24 information technology enterprise plans meet those needs;

25 (3) consideration of the ability of the department's
26 information systems division to accomplish the goal, objectives,
27 strategies, and actions provided for in the department's strategic

1 plan;

2 (4) evaluation of the relative potential and costs of
3 the department's database strategy to meet anticipated user demands
4 compared to alternative strategies; and

5 (5) determination of the relative advisability and
6 desirability of implementation of agency-wide enterprise resource
7 planning software as an alternative to continuing to maintain and
8 evolve current systems.

9 (c) The contract must require that a report of the review be
10 submitted to the department before January 1, 2003.

11 (d) This section expires January 1, 2003.

12 SECTION 5. (a) Section 201.501, Transportation Code, is
13 amended to read as follows:

14 Sec. 201.501. RECORDING AND STORAGE [~~REPRODUCTION~~] OF
15 RECORDS. (a) The department shall develop an imaging system to
16 record and store [~~may photograph, microphotograph, or film~~] any
17 record that pertains to department operations.

18 (b) The department shall record and store [~~may create~~]
19 original records in an electronic form [~~micrographic form on media,~~
20 ~~such as computer output microfilm~~].

21 (c) The department shall [~~provide an adequate number of~~
22 ~~microfilm readers and printers to~~] allow the public convenient and
23 inexpensive access to records created under Subsection (a). The
24 department shall index the records alphabetically, by number, by
25 subject matter, or by other appropriate references and shall
26 provide the index to the public to promote convenient access.

27 (d) An image [~~A photograph, microphotograph, or film~~] of a

1 record reproduced under Subsection (a) is equivalent to the
2 original record for all purposes, including introduction as
3 evidence in all courts and administrative agency proceedings. A
4 certified or authenticated copy of such an image [~~a photograph,~~
5 ~~microphotograph, or film~~] is admissible as evidence equally with
6 the original image [~~photograph, microphotograph, or film~~].

7 (e) The director or an authorized representative may
8 certify the authenticity of an image [~~a photograph,~~
9 ~~microphotograph, or film~~] of a record reproduced under this section
10 and shall charge a fee for access to the image [~~the certified~~
11 ~~photograph, microphotograph, or film~~] as provided by law.

12 (f) Certified records shall be furnished to any person who
13 is authorized by law to receive them.

14 (b) As the Texas Department of Transportation implements a
15 record imaging system in accordance with Section 201.501,
16 Transportation Code, as amended by this section, the department
17 shall phase out its microform library of records. Not later than
18 January 1, 2004, the department must have fully implemented a
19 record imaging and storage system in accordance with Section
20 201.501, Transportation Code, as amended by this section.

21 SECTION 6. Subchapter J, Chapter 201, Transportation Code,
22 is amended by adding Section 201.8015 to read as follows:

23 Sec. 201.8015. CENTRALIZATION OF INFORMATION AND
24 ASSISTANCE. (a) The department shall centralize consumer and
25 technical assistance in its help desk. The department shall
26 include in the duties of the help desk answering questions from the
27 public and counties about registration and titling, and shall

1 direct a majority of those calls to the help desk.

2 (b) The department shall reallocate employees between
3 regional offices and the help desk as necessary to carry out
4 Subsection (a).

5 SECTION 7. Subchapter A, Chapter 502, Transportation Code,
6 is amended by adding Section 502.010 to read as follows:

7 Sec. 502.010. INTERNET REGISTRATION SYSTEM. The department
8 shall expand the department's Internet registration system to allow
9 for:

10 (1) interconnection with the automated registration
11 and title system;

12 (2) vehicle fleet registration; and

13 (3) registration of vehicles under the International
14 Registration Plan under Section 502.054.

15 SECTION 8. This Act takes effect September 1, 2003.