

By: Shapleigh

S.B. No. 394

A BILL TO BE ENTITLED

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AN ACT

relating to the Records Management Interagency Coordinating Council.

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

SECTION 1. Section 441.203, Government Code, is amended by amending Subsections (a), (b), and (d) through (j) and adding Subsections (a-1), (a-2), (a-3), and (k) to read as follows:

(a) The Records Management Interagency Coordinating Council is composed of:

(1) permanent members, consisting of the following officers or the officer's designee:

(A) [~~(1)~~] the secretary of state;

(B) [~~(2)~~] the state auditor, who serves as a nonvoting member;

(C) [~~(3)~~] the comptroller of public accounts;

(D) [~~(4)~~] the attorney general;

(E) [~~(5)~~] the director and librarian;

(F) [~~(6)~~] the executive director of the Texas Building and Procurement [~~General Services~~] Commission; and

(G) [~~(7)~~] the executive director of the Department of Information Resources; and

(2) auxiliary voting members, consisting of:

(A) one faculty member of a public senior college or university, as defined by Section 61.003, Education Code, who

1 has demonstrated knowledge of records and information management;  
2 and

3 (B) two individuals who serve as information  
4 resources managers, under Section 2054.071, for state agencies in  
5 the executive branch of government.

6 (a-1) The presiding officer of the council shall appoint  
7 auxiliary voting members in accordance with this section. To be  
8 appointed by the presiding officer as an auxiliary voting member  
9 for a full or partial term, a person must be nominated by the  
10 presiding officer and receive the approval of a majority of the  
11 permanent members listed under Subsection (a)(1).

12 (a-2) Auxiliary voting members serve two-year terms, with  
13 the terms expiring February 1 of each odd-numbered year. A person  
14 who is appointed as an auxiliary voting member or to fill a vacancy  
15 of an auxiliary voting member may continue to serve as a member only  
16 while the person continues to possess the qualifications for the  
17 category under which the person is appointed.

18 (a-3) The presiding officer shall fill a vacancy of an  
19 auxiliary voting member for the unexpired term by appointing a  
20 person who has the qualifications required under Subsection (a)(2)  
21 for the vacated position. A person appointed to fill a vacant  
22 position of an auxiliary voting member shall serve for the  
23 unexpired portion of the term for which the person is appointed.

24 (b) The position of presiding officer rotates among the  
25 permanent members of the council according to the procedures  
26 adopted by the council. A term as presiding officer is two years  
27 and expires on February 1 of each odd-numbered year.

1           (d) The council's permanent member agencies shall provide  
2 the staff for the council.

3           (e) The council shall:

4                 (1) review the activities of each permanent member  
5 agency that affect the state's management of records;

6                 (2) study other records management issues; and

7                 (3) report its findings and any recommended  
8 legislation to the governor and the legislature not later than  
9 November 1 of each even-numbered year.

10          (f) The council shall adopt policies that coordinate the  
11 activities of each permanent member agency and that make other  
12 improvements in the state's management of records. The council  
13 shall adopt policies under this subsection using the rulemaking  
14 procedures prescribed by Chapter 2001.

15          (g) Each permanent member agency shall adopt the policies  
16 adopted under Subsection (f) as the permanent member agency's own  
17 rules, except to the extent that the policies conflict with other  
18 state or federal law.

19          (h) Each permanent member agency shall report on the  
20 agency's adoption and implementation of rules under Subsection (g)  
21 to the council not later than October 1 of each even-numbered year.

22          (i) In this section, "permanent member agency" means each  
23 state officer who is a permanent member of the council or an agency  
24 that has a representative who is a permanent member of the council.

25          (j) The council shall categorize state agency programs and  
26 telephone numbers by subject matter as well as by agency. The  
27 council shall cooperate with the Texas Information and Referral

1 Network under Section 531.0312 to ensure that the council and the  
2 network use a single method of defining and organizing information  
3 about health and human services[. ~~State agencies shall cooperate  
4 with the council by providing the council with the information it  
5 needs to perform this function~~].

6 (k) A state agency shall cooperate with the council in the  
7 performance of its duties.

8 SECTION 2. The presiding officer of the Records Management  
9 Interagency Coordinating Council shall make the initial  
10 appointments of the auxiliary voting members of the council, in  
11 accordance with Section 441.203, Government Code, as amended by  
12 this Act, not later than October 31, 2003, for terms to expire  
13 February 1, 2005.

14 SECTION 3. This Act takes effect September 1, 2003.