

1-1 By: Shapleigh S.B. No. 394  
1-2 (In the Senate - Filed February 6, 2003; February 12, 2003,  
1-3 read first time and referred to Committee on Government  
1-4 Organization; March 24, 2003, reported favorably by the following  
1-5 vote: Yeas 7, Nays 0; March 24, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the Records Management Interagency Coordinating  
1-9 Council.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 441.203, Government Code, is amended by  
1-12 amending Subsections (a), (b), and (d) through (j) and adding  
1-13 Subsections (a-1), (a-2), (a-3), and (k) to read as follows:

1-14 (a) The Records Management Interagency Coordinating Council  
1-15 is composed of:

1-16 (1) permanent members, consisting of the following  
1-17 officers or the officer's designee:

1-18 (A) [~~1~~] the secretary of state;

1-19 (B) [~~2~~] the state auditor, who serves as a  
1-20 nonvoting member;

1-21 (C) [~~3~~] the comptroller of public accounts;

1-22 (D) [~~4~~] the attorney general;

1-23 (E) [~~5~~] the director and librarian;

1-24 (F) [~~6~~] the executive director of the Texas  
1-25 Building and Procurement [~~General Services~~] Commission; and

1-26 (G) [~~7~~] the executive director of the  
1-27 Department of Information Resources; and

1-28 (2) auxiliary voting members, consisting of:

1-29 (A) one faculty member of a public senior college  
1-30 or university, as defined by Section 61.003, Education Code, who  
1-31 has demonstrated knowledge of records and information management;  
1-32 and

1-33 (B) two individuals who serve as information  
1-34 resources managers, under Section 2054.071, for state agencies in  
1-35 the executive branch of government.

1-36 (a-1) The presiding officer of the council shall appoint  
1-37 auxiliary voting members in accordance with this section. To be  
1-38 appointed by the presiding officer as an auxiliary voting member  
1-39 for a full or partial term, a person must be nominated by the  
1-40 presiding officer and receive the approval of a majority of the  
1-41 permanent members listed under Subsection (a)(1).

1-42 (a-2) Auxiliary voting members serve two-year terms, with  
1-43 the terms expiring February 1 of each odd-numbered year. A person  
1-44 who is appointed as an auxiliary voting member or to fill a vacancy  
1-45 of an auxiliary voting member may continue to serve as a member only  
1-46 while the person continues to possess the qualifications for the  
1-47 category under which the person is appointed.

1-48 (a-3) The presiding officer shall fill a vacancy of an  
1-49 auxiliary voting member for the unexpired term by appointing a  
1-50 person who has the qualifications required under Subsection (a)(2)  
1-51 for the vacated position. A person appointed to fill a vacant  
1-52 position of an auxiliary voting member shall serve for the  
1-53 unexpired portion of the term for which the person is appointed.

1-54 (b) The position of presiding officer rotates among the  
1-55 permanent members of the council according to the procedures  
1-56 adopted by the council. A term as presiding officer is two years  
1-57 and expires on February 1 of each odd-numbered year.

1-58 (d) The council's permanent member agencies shall provide  
1-59 the staff for the council.

1-60 (e) The council shall:

1-61 (1) review the activities of each permanent member  
1-62 agency that affect the state's management of records;

1-63 (2) study other records management issues; and

1-64 (3) report its findings and any recommended

2-1 legislation to the governor and the legislature not later than  
2-2 November 1 of each even-numbered year.

2-3 (f) The council shall adopt policies that coordinate the  
2-4 activities of each permanent member agency and that make other  
2-5 improvements in the state's management of records. The council  
2-6 shall adopt policies under this subsection using the rulemaking  
2-7 procedures prescribed by Chapter 2001.

2-8 (g) Each permanent member agency shall adopt the policies  
2-9 adopted under Subsection (f) as the permanent member agency's own  
2-10 rules, except to the extent that the policies conflict with other  
2-11 state or federal law.

2-12 (h) Each permanent member agency shall report on the  
2-13 agency's adoption and implementation of rules under Subsection (g)  
2-14 to the council not later than October 1 of each even-numbered year.

2-15 (i) In this section, "permanent member agency" means each  
2-16 state officer who is a permanent member of the council or an agency  
2-17 that has a representative who is a permanent member of the council.

2-18 (j) The council shall categorize state agency programs and  
2-19 telephone numbers by subject matter as well as by agency. The  
2-20 council shall cooperate with the Texas Information and Referral  
2-21 Network under Section 531.0312 to ensure that the council and the  
2-22 network use a single method of defining and organizing information  
2-23 about health and human services [~~State agencies shall cooperate  
2-24 with the council by providing the council with the information it  
2-25 needs to perform this function~~].

2-26 (k) A state agency shall cooperate with the council in the  
2-27 performance of its duties.

2-28 SECTION 2. The presiding officer of the Records Management  
2-29 Interagency Coordinating Council shall make the initial  
2-30 appointments of the auxiliary voting members of the council, in  
2-31 accordance with Section 441.203, Government Code, as amended by  
2-32 this Act, not later than October 31, 2003, for terms to expire  
2-33 February 1, 2005.

2-34 SECTION 3. This Act takes effect September 1, 2003.

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