

By: Wentworth

S.B. No. 1701

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.