

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1644
By: Shapleigh
Government Organization
4/27/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

TexasOnline was created with the goal of streamlining interactions between the State of Texas, state agencies, other governmental entities, and the public. The result, the state website, www.TxOnline.com, has for the past two years delivered convenient and cost-effective services to the public. Since 2003, TexasOnline has grown to include a professional profile system for occupational licenses; an expanded common occupational licensing system; a court eFiling system; a natural resources portal; and a voter registration and change of address system. The expansion of the system has been an expensive process. The TexasOnline Authority (authority) has spent thousands of dollars expanding services.

As TexasOnline and partnering entities continue to work together, it has become apparent for the need to clear up confusing provisions in the enabling statute so that interactions between the authority, state agencies, and the private contractor creating and maintaining the Web portal are effective and efficient.

C.S.S.B. 1644 clarifies several provisions in the Government Code to better direct the Department of Information Resources and other state agencies in working with the authority.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Public Safety in SECTION 9 (Section 548.248, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 2054.111(e), Government Code, to authorize a state agency or local government that uses the TexasOnline project (project) to charge a fee under Subchapter I, in certain circumstances.

SECTION 2. Amends Section 2054.1115(b), Government Code, to make a conforming change.

SECTION 3. Amends Sections 2054.252(a) and (e), Government Code, as follows:

(a) Requires the TexasOnline Authority (authority) to implement a project designated "TexasOnline" that establishes a common electronic infrastructure through which state agencies and local governments, including licensing entities, may by any method, rather than electronically, send and receive documents or required payments to and from certain persons and provide and receive any other service to and from the agencies and local governments or the public, including support services for an agency or local government.

(e) Requires the authority to charge fees to licensing entities as provided by this subchapter. Prohibits the authority from charging the subscription fee until the service for which the fee is charged is available on the Internet.

SECTION 4. Amends Section 2054.258, Government Code, to delete existing text requiring an authority member, not less than six months after the date on which the member is appointed, to complete training on the TexasOnline division (division) created by the Department of Information Resources. Makes conforming changes.

SECTION 5. Amends Section 2054.259, Government Code, to require the authority to develop project pricing policies, including policies regarding any fees that a state agency, including the authority, or a local government may charge for a transaction that uses the project.

SECTION 6. Amends Subchapter I, Chapter 2054, Government Code, by adding Section 2054.2591, as follows:

Sec. 2054.2591. FEES. Requires the authority to set fees that a state agency, including the authority, or a local government may charge for a transaction that uses the project. Requires the authority to set fees at amounts sufficient to recover the direct and indirect costs of the project. Provides that a fee set by the authority for using the project is in addition to any other statutory fees. Requires the revenue collected from the fees to be used to support the project, including the recovery of project costs.

SECTION 7. Amends Section 2054.265, Government Code, to require the authority to develop and implement policies that clearly separate the policymaking responsibilities of the authority and the management responsibilities of the Department of Information Resources, rather than the division.

SECTION 8. Amends Subchapter I, Chapter 2054, Government Code, by adding Section 2054.273, as follows:

Sec. 2054.273. COLLECTION AND FORWARDING OF FEES. (a) [sic] Authorizes a person that pays a fee for using the project to recover the fee in the ordinary course of business.

SECTION 9. Amends Subchapter E, Chapter 548, Transportation Code, by adding Section 548.258, as follows:

Sec. 548.258. USE OF TEXASONLINE. Defines "TexasOnline." Authorizes the Department of Public Safety (DPS) to adopt rules to require an inspection station to use TexasOnline to purchase inspection certificates or send to DPS a record, report, or other information required by DPS.

SECTION 10. Repealer: Sections 2054.251(2) (Definitions), 2054.264 (TexasOnline Division), and 2054.2645 [Section does not currently exist in Government Code], Government Code and Section 7, Chapter 342, Acts of the 77th Legislature, Regular Session, 2001 (regarding the expiration date of Section 2054.252(g), Government Code).

SECTION 11. Effective date: upon passage or the 91st day after adjournment.