

By: Swinford

H.B. No. 2699

A BILL TO BE ENTITLED

AN ACT

relating to the Department of Information Resources.

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

SECTION 1. Section 2170.001(a)(2), Government Code, is amended to read as follows:

Section 2170.001(a)(2). "Telecommunications Services" means communications facilities or services. The term does not include single agency point-to-point radio systems or facilities systems. The term does include local services over converged networks, which state agencies may choose to purchase through the department or may purchase through any other authorized purchasing method.

SECTION 2. Section 2054.1185, Government Code, is hereby repealed.

SECTION 3. Section 2170.003, Government Code, is amended to read as follows:

Section 2170.003. OWNERSHIP OR LEASE OF NECESSARY EQUIPMENT. The department may own, lease, or lease-purchase in accordance with Chapters 2155, 2156, 2157, and 2158 any or all of the facilities or equipment necessary to provide telecommunications services. The department may also acquire telecommunications services without competitive bidding from a private entity created by a consortia of institutions of higher education for the purpose of creating, managing and operation a

1 high speed fiber optic network, funded, in part, with state
2 appropriations.

3 SECTION 4. Section 2054.021 is amended to read as follows:

4 Section 2054.021(d). An ex officio member may designate the
5 information resources manager or another senior manager of the
6 member's agency to serve in the member's place.

7 SECTION 5. Section 771.031, Health and Safety Code, is
8 amended by amending Subsection (b) to read as follows:

9 (b) The following individuals serve as nonvoting ex officio
10 members:

11 (1) the executive director of the Public Utility
12 Commission of Texas, or an individual designated by the executive
13 director;

14 (2) the executive director of the ~~General Services~~
15 ~~Commission~~ Department of Information Resources, or an individual
16 designated by the executive director; and

17 (3) the commissioner of public health, or an
18 individual who has responsibility for the poison control network
19 designated by the commissioner.

20 SECTION 6. Section 2054.051, Government Code, is amended by
21 adding Subsection (g) to read as follows:

22 (g) The department may allow the contracts to be used by
23 government entities of other states and by assistance organizations
24 as defined in Section 2175.001, Government Code.

25 SECTION 7. Section 2170.004, Government Code, is amended to
26 read as follows:

27 Section 2170.004. CONTRACTS WITH ENTITIES OTHER THAN STATE

1 AGENCIES. The department may contract for use of the consolidated
2 telecommunications system with:

3 (1) each house of the legislature;

4 (2) a legislative agency;

5 (3) an agency that is not a state agency as defined by
6 Section 2151.002

7 (4) a political subdivision, including a county,
8 municipality, or district; ~~and~~

9 (5) a private institutions of higher education
10 accredited by a recognized accrediting agency, as defined by
11 Section 61.003, Education Code, that:

12 (A) engages in distance learning, as defined by
13 Section 57.021, Utilities Code, and

14 (B) receives federal funds for distance learning
15 initiatives; ~~and~~

16 (6) a private business or other entity that serves a
17 state agency through a contract for services in instances where the
18 entity's use of the consolidated telecommunications system results
19 in cost savings to the State.

20 SECTION 8. Section 7 of chapter 342, Acts of the 77th
21 Legislature, Regular Session, 2001, is hereby repealed.

22 SECTION 9. This Act takes effect September 1, 2005.