

## **BILL ANALYSIS**

Senate Research Center  
80R13092 E

C.S.S.B. 757  
By: Hegar  
Government Organization  
3/28/2007  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, management of the state telecommunications system is governed by the Telecommunications Planning and Oversight Council (council).

In addition, current statute defines "telecommunications services" as intercity communications facilities or services. This wording limits the state's authority to provide a wide array of long distance services and local voice service within rural areas. With advances in technology, there is no longer a distinct delineation between local and long distance voice services.

C.S.S.B. 757 transfers some of the authority of the council to the board of directors of the Department of Information Resources (DIR) and also requires the council to consult with DIR under certain circumstances. This bill also redefines "telecommunications services" to make it consistent with current technology and regulation.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2054.051, Government Code, by adding Subsection (g), to require the Department of Information Resources (DIR) to establish plans and policies for the system of telecommunications services managed and operated by DIR.

SECTION 2. Amends Section 2054.055(b), Government Code, to require the report on the use of information resources technologies by state government to assess the progress made toward accomplishing the goals of the plan for a state telecommunications network (plan) and to develop a system of telecommunications services as provided by Subchapter H.

SECTION 3. Amends Section 2054.092(b), Government Code, to require the plan to include, among other information, information about best practices to assist state agencies in adopting methods for design, deployment, and management of telecommunications services.

SECTION 4. Amends Sections 2054.203(a), (b), (c), (d), and (g), Government Code, as follows:

(a) Deletes existing text referring to the telecommunications planning and oversight council (council) being required to collect and manage certain information and replaces it with a reference to DIR. Requires DIR to provide the information collected under this section to the council in a manner consistent with state and federal security restrictions.

(b) Makes conforming changes.

(c) Requires the council, in consultation with DIR, to establish plans and policies for a system of telecommunications services.

(d) Makes a conforming change.

(g) Requires strategic planning for all state telecommunications services to be performed in accordance with the guiding principles of the state strategic plan for information

resources management. Deletes existing text requiring the council to perform the strategic planning.

SECTION 5. Amends Sections 2054.204, Government Code, as follows:

Sec. 2054.204. New heading: TELECOMMUNICATIONS IN STATE STRATEGIC PLAN. (a) Requires DIR to consult with the council regarding telecommunications elements of the plan under Section 2054.092 (Content of State Strategic Plan). Requires that the plan address certain matters. Deletes existing text relating to the council being required to develop a plan.

(b) and (c) Makes conforming changes.

SECTION 6. Amends Section 2054.205, Government Code, to make conforming changes.

SECTION 7. Amends Sections 2054.2051(a), and (b), Government Code, to make conforming changes.

SECTION 8. Amends Section 2054.207, Government Code, as follows:

Sec. 2054.207. REPORT TO LEGISLATURE. Requires DIR to consult with the council regarding information that is required to be included in the performance report under Section 2054.055 (Performance Report). Deletes existing text requiring the council to report biennially to the legislature not later than October 1 of each even-numbered year on the status of the current plan for a state telecommunications network and on the progress state government has made towards accomplishing the goals of the plan.

SECTION 9. Amends Section 2170.001(a)(1), Government Code, to redefine "telecommunications services."

SECTION 10. Amends Section 2170.002, Government Code, as follows:

Sec. 2170.002. DEPARTMENT RESPONSIBLE FOR OBTAINING TELECOMMUNICATIONS SERVICES. (a) Creates this subsection from existing text.

(b) Authorizes a state agency to choose to procure local services either through DIR or by using any other authorized procurement method, notwithstanding Subsection (a) of this section, Section 2170.051, or other law. Provides that a state agency is not required to comply with Section 2170.051(d) in procuring such services.

SECTION 11. Repealer: Section 2054.206 (Annual Report), Government Code.

SECTION 12. Effective date: September 1, 2007.