

By: Pitts

H.B. No. 1788

Substitute the following for H.B. No. 1788:

By: Berman

C.S.H.B. No. 1788

A BILL TO BE ENTITLED

AN ACT

relating to the planning, reporting, and review of the state's  
information resources.

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

SECTION 1. Section 531.0273(a), Government Code, is amended  
to read as follows:

(a) The commission is responsible for strategic planning  
for information resources at each health and human services agency  
and shall direct the management of information resources at each  
health and human services agency. The commission shall:

(1) develop a coordinated strategic plan for  
information resources management that:

(A) covers a five-year period;

(B) defines objectives for information resources  
management at each health and human services agency;

(C) prioritizes information resources projects  
and implementation of new technology for all health and human  
services agencies;

(D) integrates planning and development of each  
information resources system used by a health and human services  
agency into a coordinated information resources management  
planning and development system established by the commission;

(E) establishes standards for information  
resources system security and that promotes the ability of

1 information resources systems to operate with each other; ~~and~~

2 (F) achieves economies of scale and related  
3 benefits in purchasing for health and human services information  
4 resources systems; and

5 (G) is consistent with the state strategic plan  
6 for information resources developed under Chapter 2054;

7 (2) establish information resources management  
8 policies, procedures, and technical standards and ensure  
9 compliance with those policies, procedures, and standards; and

10 (3) review and approve the information resources  
11 deployment review ~~[management]~~ and biennial operating plan of each  
12 health and human services agency.

13 SECTION 2. Section 2054.007(b), Government Code, is amended  
14 to read as follows:

15 (b) The electronic funds transfer system for the operation  
16 of the state lottery is not included in the information resources  
17 deployment review ~~[agency strategic plan]~~ or the biennial operating  
18 plan of the comptroller. Operations of the comptroller that relate  
19 to the state lottery are not subject to the planning and procurement  
20 requirements of this chapter.

21 SECTION 3. Sections 2054.055(a) and (b), Government Code,  
22 are amended to read as follows:

23 (a) Not later than November 15 ~~[1]~~ of each even-numbered  
24 year, the board shall review and approve and the department shall  
25 present a report on the use of information resources technologies  
26 by state government.

27 (b) The report must:

1           (1) assess the progress made toward meeting the goals  
2 and objectives of the state strategic plan for information  
3 resources management;

4           (2) describe major accomplishments of the state or a  
5 specific state agency in information resources management;

6           (3) describe major problems in information resources  
7 management confronting the state or a specific state agency;

8           (4) provide a summary of the total expenditures for  
9 information resources and information resources technologies by  
10 the state;

11           (5) make recommendations for improving the  
12 effectiveness and cost-efficiency of the state's use of information  
13 resources; ~~and~~

14           (6) describe the status, progress, benefits, and  
15 efficiency gains of the TexasOnline project, including any  
16 significant issues regarding contract performance;

17           (7) provide a financial summary of the TexasOnline  
18 project, including project costs and revenues;

19           (8) provide a summary of the amount and use of  
20 Internet-based training conducted by each state agency and  
21 institution of higher education; and

22           (9) provide a summary of agency and statewide results  
23 in providing access to electronic and information resources to  
24 individuals with disabilities as required by Subchapter M ~~[include~~  
25 ~~a list compiled by the department's program management office from~~  
26 ~~the information gathered under Sections 2055.152 and 2055.153 of~~  
27 ~~the electronic government projects.]~~

1                   ~~[(A) that are managed by the office under Chapter~~  
2 ~~2055, and~~

3                   ~~[(B) that are not yet managed by the office under~~  
4 ~~Chapter 2055, but have been selected for management under Chapter~~  
5 ~~2055].~~

6           SECTION 4. Subchapter C, Chapter 2054, Government Code, is  
7 amended by adding Section 2054.0551 to read as follows:

8           Sec. 2054.0551. AUTOMATED INFORMATION SYSTEMS REPORT. (a)  
9 The department, in coordination with the Legislative Budget Board,  
10 the Texas Building and Procurement Commission, and the comptroller,  
11 shall prepare a report assessing the current automated information  
12 systems of state agencies. The report shall include:

13                   (1) an analysis of how the current automated  
14 information systems may be managed to more effectively synchronize  
15 strategic planning, budgeting, and reporting of technology  
16 expenditures, assets, and projects;

17                   (2) the status of data-sharing methods that improve  
18 the ability of oversight agencies to share relevant technology  
19 information;

20                   (3) modifications to existing systems and processes  
21 that support streamlined technology data collection; and

22                   (4) modifications to reporting tools enabling state  
23 agencies to submit technology reports online and support advanced  
24 analytics.

25           (b) The department shall submit the report to the governor,  
26 lieutenant governor, speaker of the house of representatives, and  
27 state auditor not later than December 31 of each odd-numbered year.

SECTION 5. Section 2054.071(a), Government Code, is amended to read as follows:

(a) The presiding officer of the governing body of a state agency, if the agency is governed by one or more fully paid full-time state officials, and otherwise the executive director of the agency ~~[The individual required to sign a state agency's strategic plan under Subchapter E], or the [that individual's]~~ designated representative of the presiding officer or executive director, shall serve as the agency's information resources manager.

SECTION 6. The heading to Subchapter E, Chapter 2054, Government Code, is amended to read as follows:

SUBCHAPTER E. STRATEGIC AND OPERATING PLANS; INFORMATION RESOURCES DEPLOYMENT REVIEW

SECTION 7. Section 2054.092(b), Government Code, is amended to read as follows:

(b) The plan must:

(1) provide a strategic direction for information resources management in state government for the five fiscal years following adoption of the plan;

(2) outline a state information architecture that contains a logically consistent set of principles, policies, and standards to guide the engineering of state government's information technology systems and infrastructure in a way that ensures compatibility and alignment with state government's needs;

(3) designate and report on critical electronic government projects to be directed by the department, including a

1 project for electronic purchasing;

2 (4) provide information about best practices to assist  
3 state agencies in adopting effective information management  
4 methods, including the design, deployment, and management of  
5 information resources projects, cost-benefit analyses, and staff  
6 reengineering methods to take full advantage of technological  
7 advancements;

8 (5) ~~[establish reporting guidelines for state~~  
9 ~~agencies to report in agency strategic plans:]~~

10 ~~[(A) the outcomes and progress related to the~~  
11 ~~strategic direction of the state,]~~

12 ~~[(B) information necessary to evaluate~~  
13 ~~opportunities for information technology consolidation,]~~

14 ~~[(C) progress toward implementing electronic~~  
15 ~~government projects designated under Subdivision (3),]~~

16 ~~[(D) the return on investment for projects and~~  
17 ~~cost-benefit models for the projects, and]~~

18 ~~[(E) other provisions in this section,]~~

19 ~~[(6)]~~ provide long-range policy guidelines for  
20 information resources in state government, including the  
21 implementation of national, international, and department  
22 standards for information resources technologies;

23 (6) ~~[(7)]~~ identify major issues faced by state  
24 agencies related to the acquisition of computer hardware, computer  
25 software, and information resources technology services and  
26 develop a statewide approach to address the issues, including:

27 (A) developing performance measures for

1 purchasing and contracting; and

2 (B) identifying opportunities to reuse computer  
3 software code purchased with public funds; and

4 (7) ~~[(8)]~~ 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 8. Section 2054.095, Government Code, is amended to  
11 read as follows:

12 Sec. 2054.095. ~~[PREPARATION—OF]~~ AGENCY INFORMATION  
13 RESOURCES STRATEGIC PLANNING INSTRUCTIONS ~~[PLAN]~~. (a) The  
14 department ~~[Each state agency]~~ shall prepare instructions ~~[an~~  
15 ~~agency strategic plan]~~ for use by state agencies in preparing the  
16 strategic plan required by Section 2056.002 ~~[information resources~~  
17 ~~management]~~.

18 (b) Except as otherwise modified by the Legislative Budget  
19 Board or the governor, instructions under Subsection (a) must  
20 require each state agency's strategic plan to include:

21 (1) a description of the agency's information  
22 resources management organizations, policies, and practices,  
23 including the extent to which the agency uses its internal quality  
24 assurance procedures;

25 (2) a description of how the agency's information  
26 resources programs support and promote its mission, goals, and  
27 objectives and the goals and policies of the state strategic plan

1 for information resources; and

2 (3) other planning components that the department may  
3 prescribe ~~[The agency strategic plan must be signed by the~~  
4 ~~presiding officer of the governing body of the state agency if the~~  
5 ~~agency is governed by one or more fully paid full-time state~~  
6 ~~officials, and otherwise by the executive director of the agency.~~

7 ~~[(c) The department shall prescribe the format required for~~  
8 ~~an agency strategic plan.~~

9 ~~[(d) The department shall adopt instructions, consistent~~  
10 ~~with Section 2054.096, that guide state agencies in the preparation~~  
11 ~~of their agency strategic plans].~~

12 SECTION 9. Subchapter E, Chapter 2054, Government Code, is  
13 amended by adding Section 2054.0965 to read as follows:

14 Sec. 2054.0965. INFORMATION RESOURCES DEPLOYMENT REVIEW.

15 (a) Not later than December 1 of each odd-numbered year, a state  
16 agency shall complete a review of the operational aspects of the  
17 agency's information resources deployment following instructions  
18 developed by the department.

19 (b) Except as otherwise modified by rules adopted by the  
20 department, the review must include:

21 (1) an inventory of the agency's major information  
22 systems, as defined by Section 2054.008, and other operational or  
23 logistical components related to deployment of information  
24 resources as prescribed by the department;

25 (2) an inventory of the agency's major databases and  
26 applications;

27 (3) a description of the agency's existing and planned



1 telecommunications network configuration;

2 (4) an analysis of how information systems,  
3 components, databases, applications, and other information  
4 resources have been deployed by the agency in support of:

5 (A) applicable achievement goals established  
6 under Section 2056.006 and the state strategic plan adopted under  
7 Section 2056.009;

8 (B) the state strategic plan for information  
9 resources; and

10 (C) the agency's business objectives, mission,  
11 and goals;

12 (5) agency information necessary to support the state  
13 goals for interoperability and reuse; and

14 (6) confirmation by the agency of compliance with  
15 state statutes, rules, and standards relating to information  
16 resources.

17 SECTION 10. Section 2054.097, Government Code, is amended  
18 to read as follows:

19 Sec. 2054.097. ANALYSIS OF INFORMATION RESOURCES  
20 DEPLOYMENT REVIEW [OF AGENCY STRATEGIC PLAN]. (a) A state agency  
21 shall send its information resources deployment review [strategic  
22 plan] to the quality assurance team [~~and the department~~] for  
23 analysis [review].

24 (a-1) If the department determines that an agency's  
25 deployment decision is not in compliance with the state strategic  
26 plan, a state statute, or department rules or standards, the  
27 department shall require the agency to develop a corrective action

1 plan that specifies the manner in which deficiencies will be  
2 corrected. The department shall report the status of corrective  
3 action plans to the state auditor and the Legislative Budget Board.

4 (b) Any member of ~~[The department, in coordination with]~~ the  
5 quality assurance team~~[, shall report to the agency, and]~~ may  
6 report to the governor and the presiding officer of each house of  
7 the legislature~~[,]~~ that an agency's deployment decision ~~[agency~~  
8 ~~strategic plan or plan amendment]~~ is not in compliance with the  
9 state strategic plan, a state statute, or department rules or  
10 standards ~~[or best suited to the state agency's execution of its own~~  
11 ~~duty]~~.

12 SECTION 11. Section 2054.1015, Government Code, is amended  
13 by adding Subsections (e) and (f) to read as follows:

14 (e) The department shall specify hardware configurations  
15 for state commodity items in its instructions for the preparation  
16 of planned procurement schedules.

17 (f) Each state agency shall use the hardware configurations  
18 specified under Subsection (e) in developing the agency's planned  
19 procurement schedules.

20 SECTION 12. Section 2054.464, Government Code, is amended  
21 to read as follows:

22 Sec. 2054.464. SURVEY; REPORTING REQUIREMENTS. The  
23 department shall adopt guidelines ~~[rules]~~ regarding:

24 (1) an ~~[annual]~~ electronic and information resources  
25 state agency survey; and

26 (2) state agency reporting requirements for  
27 implementation of this subchapter.

SECTION 13. Sections 2056.002(b) and (d), Government Code, are amended to read as follows:

(b) The Legislative Budget Board and the Governor's Office of Budget, Policy, and Planning shall determine the elements required to be included in each agency's strategic plan. Unless modified by the Legislative Budget Board and the Governor's Office of Budget, Policy, and Planning, and except as provided by Subsection (c), a plan must include:

(1) a statement of the mission and goals of the state agency;

(2) a description of the indicators developed under this chapter and used to measure the output and outcome of the agency;

(3) identification of the groups of people served by the agency, including those having service priorities, or other service measures established by law, and estimates of changes in those groups expected during the term of the plan;

(4) an analysis of the use of the agency's resources to meet the agency's needs, including future needs, and an estimate of additional resources that may be necessary to meet future needs;

(5) an analysis of expected changes in the services provided by the agency because of changes in state or federal law;

(6) a description of the means and strategies for meeting the agency's needs, including future needs, and achieving the goals established under Section 2056.006 for each area of state government for which the agency provides services;

(7) a description of the capital improvement needs of

1 the agency during the term of the plan and a statement, if  
2 appropriate, of the priority of those needs;

3 (8) identification of each geographic region of this  
4 state, including the Texas-Louisiana border region and the  
5 Texas-Mexico border region, served by the agency, and if  
6 appropriate the agency's means and strategies for serving each  
7 region;

8 (9) a description of the training of the agency's  
9 contract managers under Section 2262.053;

10 (10) an analysis of the agency's expected expenditures  
11 that relate to federally owned or operated military installations  
12 or facilities, or communities where a federally owned or operated  
13 military installation or facility is located; ~~and~~

14 (11) an analysis of the strategic use of information  
15 resources as provided by the instructions prepared under Section  
16 2054.095; and

17 (12) other information that may be required.

18 (d) A state agency shall send two copies of each plan to both  
19 the Legislative Reference Library and the state publications  
20 clearinghouse of the Texas State Library and one copy each to:

- 21 (1) the governor;  
22 (2) the lieutenant governor;  
23 (3) the speaker of the house of representatives;  
24 (4) the Legislative Budget Board;  
25 (5) the Sunset Advisory Commission;  
26 (6) the state auditor; ~~and~~  
27 (7) the comptroller; and

1                   (8) the Department of Information Resources.

2           SECTION 14. Sections 2054.096 and 2054.156(c), Government  
3 Code, are repealed.

4           SECTION 15. A state agency is not required to comply with  
5 Sections 2054.1015(e) and (f), Government Code, as added by this  
6 Act, until the Department of Information Resources specifies  
7 hardware configurations for state commodity items as required by  
8 those subsections.

9           SECTION 16. This Act takes effect September 1, 2007.