

By: Hinojosa

S.B. No. 446

A BILL TO BE ENTITLED

AN ACT

relating to an open document format for electronic state documents.

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

SECTION 1. Subchapter F, Chapter 2054, Government Code, is amended by adding Section 2054.124 to read as follows:

Sec. 2054.124. OPEN DOCUMENT FORMAT REQUIRED. (a) In this section, "state agency" means:

(1) a board, commission, council, department, office, authority, or other agency in the executive branch of state government created under the constitution or a statute of the state, including an institution of higher education as defined by Section 61.003, Education Code;

(2) the legislature or a legislative agency; or

(3) an appellate court or an agency in the judicial branch of state government, including the State Bar of Texas.

(b) Each electronic document created, exchanged, or maintained by a state agency must be created, exchanged, or maintained in an open, Extensible Markup Language based file format, specified by the department, that is:

(1) interoperable among diverse internal and external platforms and applications;

(2) published without restrictions or royalties;

(3) fully and independently implemented by multiple software providers on multiple platforms without any intellectual

1 property reservations for necessary technology; and

2 (4) controlled by an open industry organization with a
3 well-defined inclusive process for evolution of the standard.

4 (c) Each state agency must be able to receive electronic
5 documents in an open, Extensible Markup Language based file format
6 for office applications and may not change documents to a file
7 format used by only one vendor.

8 (d) The department shall develop guidelines for state
9 agencies to follow in determining whether existing electronic
10 documents must be converted to an open, Extensible Markup Language
11 based file format. In developing guidelines under this subsection,
12 the department shall consider:

13 (1) the cost of converting electronic documents;

14 (2) the need for public access to the documents; and

15 (3) the expected storage life of the documents.

16 SECTION 2. Not later than September 1, 2008, the Department
17 of Information Resources shall develop the guidelines required by
18 Section 2054.124(d), Government Code, as added by this Act.

19 SECTION 3. (a) Except as provided by Subsection (b) of this
20 section, Section 2054.124, Government Code, as added by this Act,
21 applies only to electronic documents created on or after the
22 effective date of this Act.

23 (b) Section 2054.124, Government Code, as added by this Act,
24 applies to electronic documents created, exchanged, or maintained
25 before the effective date of this Act only to the extent required by
26 the guidelines developed by the Department of Information Resources
27 under Section 2054.124(d), Government Code, as added by this Act.

1 SECTION 4. This Act takes effect December 1, 2007.