

## **BILL ANALYSIS**

H.B. 1705  
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State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

State agencies are required by law to inform the Department of Information Resources about the technology commodities that they expect to purchase. This information is used by the department in negotiations with vendors to ensure volume-based pricing. H.B. 1705 requires the information only when the department determines that gathering the information will provide a benefit to the state.

The statewide communications system, TEX-AN, provides a network infrastructure for the state. In mid-2009, the department will initiate a re-procurement for the next generation of TEX-AN. The telecommunications planning and oversight council was established to provide policymaking expertise to the governing board of the department regarding TEX-AN. H.B. 1705 abolishes the council, thereby eliminating that role.

H.B. 1705 gives state agencies flexibility in certain reporting requirements and provides a cost-savings option for certain non-profit organizations. The bill repeals certain statutes that impose mandates on the department that are either outdated because of improvements in technology or that would result in a cost that greatly exceeds the intended benefit. The bill ensures that the terms used in planning major information technology projects reflect generally accepted references. The bill eliminates an interagency panel relating to training and software.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1705 abolishes the telecommunications planning and oversight council. The bill provides that a rule, form, plan, policy, or order of the council is continued in effect as a rule, form, plan, policy, or order of the Department of Information Resources until superseded by a rule or other appropriate action of the department. The bill makes conforming changes to the Government Code, and repeals certain provisions of that code, to reflect the council's abolition. The bill includes a savings provision continuing a repealed statute regarding the council's limitation of liability, for the limited purpose of applying in relation to an act performed before the effective date of the bill.

H.B. 1705 amends the code to confer to the Department of Information Resources the council's responsibilities relating to telecommunications planning and policymaking and the state's consolidated telecommunications system and centralized capitol complex telephone system, and to make conforming changes and delete a requirement that the council and department make use of the technical expertise of state agencies, including institutions of higher education, in developing the state strategic plan for information resources management. The bill makes a conforming change redesignating and relocating in the code certain provisions relating to the biennial report on the use of information resources technologies by state government, and in

making that change includes definitions of "centralized capital complex telephone system" and "centralized telecommunications system."

H.B. 1705 amends the Information Resources Management Act, within the code, to redefine "project" to mean an initiative that provides information resources technologies and creates products, services, or results within or among elements of a state agency and that is characterized by well-defined parameters, specific objectives, common benefits, planned activities, a scheduled completion date, and an established budget with a specified source of funding, rather than to mean a program to provide information resources technologies support to functions within or among elements of a state agency, that ideally is characterized by such characteristics.

H.B. 1705 further amends the act to require the instructions the department is required to prepare for use by state agencies, in preparing their strategic plans, to include a description of the extent to which the agency uses its project management practices, rather than requiring the instructions to include a description of the extent to which the agency uses its internal quality assurance procedures.

H.B. 1705 amends provisions of the act that require a state agency to provide to the department a planned procurement schedule for commodity items, to require an agency to provide the department such a schedule if the department requires a schedule from the agency. The bill authorizes the department to require a schedule if the department determines that the information in the schedule can be used to provide a benefit to the state. The bill requires the department to use information contained in the schedules not only to plan future vendor solicitations of commodity items, as under existing law, but also for any other activity that provides a benefit to the state.

H.B. 1705 redefines "project management practices" to include the documented and repeatable activities through which a state agency applies knowledge, skills, tools, and techniques to satisfy activity requirements, rather than the documented and repeatable methods that a state agency uses to apply such knowledge, skills, tools, and techniques to satisfy such requirements.

H.B. 1705 amends code provisions relating to telecommunications services to add an assistance organization, as defined by provisions governing surplus and salvage property, to the list of entities that the department is authorized to contract with for use of the consolidated telecommunications system serving the state government.

H.B. 1705 repeals a provision of the act requiring the department to establish an information resources technology evaluation center for use by the department and other state agencies, requiring the department to prepare a biennial report assessing the current automated information systems of state agencies, and requiring the department to create an interagency panel of representatives to coordinate and maintain a training program to assist state agencies in performing software audits, managing software, and purchasing software and software licenses. The bill repeals other code provisions requiring the department to establish and manage the electronic infrastructure of an online travel reservation and ticketing capability for use by state agencies participating in the comptroller of public account's contracts for travel services.

H.B. 1705 repeals Chapter 2177 of the Government Code relating to electronic commerce and electronic state government procurement.

H.B. 1705 amends other provisions of the Government Code, and provisions of the Natural Resources Code, and repeals a provision of the Local Government Code, to make conforming changes.

H.B. 1705 repeals the following sections in the Government Code:

- Section 2054.051(d)
- Section 2054.0551
- Section 2054.123
- Section 2054.201
- Section 2054.202
- Section 2054.2025
- Section 2155.508(c)
- Section 2170.060
- Section 2171.0521
- Chapter 2177

H.B. 1705 repeals Section 271.083(c), Local Government Code.

**EFFECTIVE DATE**

September 1, 2009.