

By: Naishtat

H.B. No. 2406

A BILL TO BE ENTITLED

AN ACT

relating to the disposition of surplus information technology equipment by the state.

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

SECTION 1. Subchapter F, Chapter 2054, Government Code, is amended by adding Section 2054.1305 to read as follows:

Sec. 2054.1305. REQUIRED CONTRACT TERMS RELATING TO INFORMATION TECHNOLOGY EQUIPMENT. (a) The department shall develop recommendations for contract terms requiring the vendor of information technology equipment to take back for recycling equipment that is not disposed of under Chapter 2175 or other law without cost to the state agency purchasing the equipment.

(b) A state agency shall include terms recommended under Subsection (a) in a contract entered into by the agency for information technology equipment.

SECTION 2. Section 2175.128, Government Code, is amended to read as follows:

Sec. 2175.128. DISPOSITION OF DATA PROCESSING EQUIPMENT.

(a) If a disposition of a state agency's surplus or salvage data processing equipment is not made under Section 2175.125 or 2175.184, the state agency shall transfer the equipment to:

(1) a school district or open-enrollment charter school in this state under Subchapter C, Chapter 32, Education Code; or

1 (2) an assistance organization specified by the school
2 district[~~, or~~

3 [~~(3) the Texas Department of Criminal Justice~~].

4 (b) If a disposition of the surplus or salvage data
5 processing equipment of a state eleemosynary institution or an
6 institution or agency of higher education is not made under other
7 law, the institution or agency shall transfer the equipment to:

8 (1) a school district or open-enrollment charter
9 school in this state under Subchapter C, Chapter 32, Education
10 Code; or

11 (2) an assistance organization specified by the school
12 district[~~, or~~

13 [~~(3) the Texas Department of Criminal Justice~~].

14 (c) The state eleemosynary institution or institution or
15 agency of higher education or other state agency may not collect a
16 fee or other reimbursement from the district, the school, or the
17 assistance organization[~~, or the Texas Department of Criminal~~
18 ~~Justice~~] for the surplus or salvage data processing equipment
19 transferred under this section.

20 SECTION 3. Section 497.012, Government Code, is repealed.

21 SECTION 4. (a) As soon as practicable, and not later than
22 May 1, 2010, the Department of Information Resources shall develop
23 the terms required by Section 2054.1305, Government Code, as added
24 by this Act.

25 (b) A state agency is not required to comply with Section
26 2054.1305, Government Code, as added by this Act, until September
27 1, 2010.

1 SECTION 5. On the effective date of this Act, surplus data
2 processing equipment that had been or was scheduled to be
3 transferred to the Texas Department of Criminal Justice under
4 Section 497.012, Government Code, shall be transferred to the Texas
5 Facilities Commission for disposition under Chapter 2175,
6 Government Code.

7 SECTION 6. This Act takes effect September 1, 2009.