

1-1 By: Gallego (Senate Sponsor - Watson) H.B. No. 2439
1-2 (In the Senate - Received from the House May 11, 2011;
1-3 May 11, 2011, read first time and referred to Committee on
1-4 Government Organization; May 23, 2011, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 6,
1-6 Nays 0; May 23, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 2439 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to posting suggestions and ideas on cost-efficiency and
1-11 certain budget documents on certain state agency websites.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter F, Chapter 2054, Government Code, is
1-14 amended by adding Sections 2054.1265 and 2054.1266 to read as
1-15 follows:

1-16 Sec. 2054.1265. POSTING OF COST-EFFICIENCY SUGGESTIONS AND
1-17 IDEAS ON STATE AGENCY WEBSITE. (a) In this section, "state
1-18 agency" does not include an institution of higher education, as
1-19 defined by Section 61.003, Education Code.

1-20 (b) Except as provided by Subsection (d), each state agency
1-21 that has 1,500 or more employees shall post on the agency's intranet
1-22 website or generally accessible Internet website an electronic form
1-23 or link allowing an employee of the agency to submit suggestions and
1-24 ideas on how to make the agency more cost-efficient.

1-25 (c) Except as provided by Subsection (d), each state agency
1-26 shall post on the agency's generally accessible Internet website a
1-27 link allowing members of the public to:

1-28 (1) monitor, in real time or on a weekly or monthly
1-29 basis, submissions made under Subsection (b); and

1-30 (2) vote for the public's favorite submission.

1-31 (d) The department may exclude from the requirements of this
1-32 section a state agency if the agency has a preexisting program or
1-33 link that the department determines substantially meets the
1-34 requirements of this section.

1-35 (e) The department shall adopt rules establishing
1-36 procedures and required formats for implementing this section.

1-37 Sec. 2054.1266. POSTING HIGH-VALUE DATA SETS ON INTERNET.

1-38 (a) In this section:

1-39 (1) "High-value data set" means information that can
1-40 be used to increase state agency accountability and responsiveness,
1-41 improve public knowledge of the agency and its operations, further
1-42 the core mission of the agency, create economic opportunity, or
1-43 respond to need and demand as identified through public
1-44 consultation. The term does not include information that is
1-45 confidential or protected from disclosure under state or federal
1-46 law.

1-47 (2) "State agency" means a board, commission, office,
1-48 department, or other agency in the executive, judicial, or
1-49 legislative branch of state government. The term includes an
1-50 institution of higher education as defined by Section 61.003,
1-51 Education Code.

1-52 (b) Each state agency shall post on a generally accessible
1-53 Internet website maintained by or for the agency each high-value
1-54 data set created or maintained by the agency, if the agency:

1-55 (1) determines that, using existing resources, the
1-56 agency can post the data set on the Internet website at no
1-57 additional cost to the state;

1-58 (2) enters into a contract advantageous to the state
1-59 under which the contractor posts the data set on the Internet
1-60 website at no additional cost to the state; or

1-61 (3) receives a gift or grant specifically for the
1-62 purpose of posting one or more of the agency's high-value data sets
1-63 on the Internet website.

2-1 (c) A high-value data set posted by a state agency under
2-2 this section must be raw data in open standard format that allows
2-3 the public to search, extract, organize, and analyze the
2-4 information.

2-5 (d) The web page on which a state agency's high-value data
2-6 set is posted must:

2-7 (1) use the agency's Internet website home page
2-8 address and include the uniform resource locator suffix "data"; and

2-9 (2) have a conspicuously displayed link on either the
2-10 agency's Internet website home page or another intuitive location
2-11 accessible from the agency's Internet website home page.

2-12 (e) A state agency may accept a gift or grant for the purpose
2-13 of posting one or more of the agency's high-value data sets on an
2-14 Internet website.

2-15 SECTION 2. Chapter 322, Government Code, is amended by
2-16 adding Section 322.0081 to read as follows:

2-17 Sec. 322.0081. BUDGET DOCUMENTS ONLINE. (a) In order to
2-18 assist members of the public in posting cost-efficiency suggestions
2-19 and ideas, the board shall post on the board's Internet website all
2-20 documents prepared by the board that are provided to a committee,
2-21 subcommittee, or conference committee of either house of the
2-22 legislature in connection with an appropriations bill.

2-23 (b) The board shall post a document to which this section
2-24 applies as soon as practicable after the document is provided to a
2-25 committee, subcommittee, or conference committee.

2-26 (c) The document must be downloadable and provide data in an
2-27 open standard format that allows the public to search, extract,
2-28 organize, and analyze the information in the document.

2-29 SECTION 3. Section 322.0081, Government Code, as added by
2-30 this Act, applies only to documents provided to a committee,
2-31 subcommittee, or conference committee on or after October 1, 2011.

2-32 SECTION 4. This Act takes effect September 1, 2011.

2-33 * * * * *