

By: Hinojosa

S.B. No. 631

A BILL TO BE ENTITLED

AN ACT

1
2 relating to statutory references to the common electronic
3 infrastructure project formerly known as TexasOnline.

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

5 SECTION 1. Subsection (c-1), Article 45.0511, Code of
6 Criminal Procedure, is amended to read as follows:

7 (c-1) In this subsection, "state electronic Internet
8 portal" [~~"TexasOnline"~~] has the meaning assigned by Section
9 2054.003, Government Code. As an alternative to receiving the
10 defendant's driving record under Subsection (c)(2), the judge, at
11 the time the defendant requests a driving safety course or
12 motorcycle operator training course dismissal under this article,
13 may require the defendant to pay a fee in an amount equal to the sum
14 of the amount of the fee established by Section 521.048,
15 Transportation Code, and the state electronic Internet portal
16 [~~TexasOnline~~] fee and, using the state electronic Internet portal
17 [~~TexasOnline~~], may request the Texas Department of Public Safety to
18 provide the judge with a copy of the defendant's driving record that
19 shows the information described by Section 521.047(b),
20 Transportation Code. As soon as practicable and using the state
21 electronic Internet portal [~~TexasOnline~~], the Texas Department of
22 Public Safety shall provide the judge with the requested copy of the
23 defendant's driving record. The fee authorized by this subsection
24 is in addition to any other fee required under this article. If the

1 copy of the defendant's driving record provided to the judge under
2 this subsection shows that the defendant has not completed an
3 approved driving safety course or motorcycle operator training
4 course, as appropriate, within the 12 months preceding the date of
5 the offense, the judge shall allow the defendant to complete the
6 appropriate course as provided by this article. The custodian of a
7 municipal or county treasury who receives fees collected under this
8 subsection shall keep a record of the fees and, without deduction or
9 proration, forward the fees to the comptroller, with and in the
10 manner required for other fees and costs received in connection
11 with criminal cases. The comptroller shall credit fees received
12 under this subsection to the Texas Department of Public Safety.

13 SECTION 2. Subsection (b), Section 32.253, Education Code,
14 is amended to read as follows:

15 (b) The Department of Information Resources shall:

16 (1) host the portal through the state electronic
17 Internet portal project [~~known as TexasOnline~~];

18 (2) organize the portal in a manner that simplifies
19 portal use and administration;

20 (3) provide any necessary technical advice to the
21 agency, including advice relating to equipment required in
22 connection with the portal;

23 (4) provide a method for maintaining the information
24 made available through the portal; and

25 (5) cooperate with the agency in linking the agency's
26 Internet site to the portal.

27 SECTION 3. Section 103.021, Government Code, is amended to

1 read as follows:

2 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
3 CIVIL CASES: CODE OF CRIMINAL PROCEDURE. An accused or defendant,
4 or a party to a civil suit, as applicable, shall pay the following
5 fees and costs under the Code of Criminal Procedure if ordered by
6 the court or otherwise required:

7 (1) a personal bond fee (Art. 17.42, Code of Criminal
8 Procedure) . . . the greater of \$20 or three percent of the amount
9 of the bail fixed for the accused;

10 (2) cost of electronic monitoring as a condition of
11 release on personal bond (Art. 17.43, Code of Criminal Procedure)
12 . . . actual cost;

13 (3) a fee for verification of and monitoring of motor
14 vehicle ignition interlock (Art. 17.441, Code of Criminal
15 Procedure) . . . not to exceed \$10;

16 (4) repayment of reward paid by a crime stoppers
17 organization on conviction of a felony (Art. 37.073, Code of
18 Criminal Procedure) . . . amount ordered;

19 (5) reimbursement to general revenue fund for payments
20 made to victim of an offense as condition of community supervision
21 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50
22 for a misdemeanor offense or \$100 for a felony offense;

23 (6) payment to a crime stoppers organization as
24 condition of community supervision (Art. 42.12, Code of Criminal
25 Procedure) . . . not to exceed \$50;

26 (7) children's advocacy center fee (Art. 42.12, Code
27 of Criminal Procedure) . . . not to exceed \$50;

1 (8) family violence center fee (Art. 42.12, Code of
2 Criminal Procedure) . . . \$100;

3 (9) community supervision fee (Art. 42.12, Code of
4 Criminal Procedure) . . . not less than \$25 or more than \$60 per
5 month;

6 (10) additional community supervision fee for certain
7 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per
8 month;

9 (11) for certain financially able sex offenders as a
10 condition of community supervision, the costs of treatment,
11 specialized supervision, or rehabilitation (Art. 42.12, Code of
12 Criminal Procedure) . . . all or part of the reasonable and
13 necessary costs of the treatment, supervision, or rehabilitation as
14 determined by the judge;

15 (12) fee for failure to appear for trial in a justice
16 or municipal court if a jury trial is not waived (Art. 45.026, Code
17 of Criminal Procedure) . . . costs incurred for impaneling the
18 jury;

19 (13) costs of certain testing, assessments, or
20 programs during a deferral period (Art. 45.051, Code of Criminal
21 Procedure) . . . amount ordered;

22 (14) special expense on dismissal of certain
23 misdemeanor complaints (Art. 45.051, Code of Criminal Procedure)
24 . . . not to exceed amount of fine assessed;

25 (15) an additional fee:

26 (A) for a copy of the defendant's driving record
27 to be requested from the Department of Public Safety by the judge

1 (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal
2 to the sum of the fee established by Section 521.048,
3 Transportation Code, and the state electronic Internet portal
4 [~~TexasOnline~~] fee;

5 (B) as an administrative fee for requesting a
6 driving safety course or a course under the motorcycle operator
7 training and safety program for certain traffic offenses to cover
8 the cost of administering the article (Art. 45.0511(f)(1), Code of
9 Criminal Procedure) . . . not to exceed \$10; or

10 (C) for requesting a driving safety course or a
11 course under the motorcycle operator training and safety program
12 before the final disposition of the case (Art. 45.0511(f)(2), Code
13 of Criminal Procedure) . . . not to exceed the maximum amount of the
14 fine for the offense committed by the defendant;

15 (16) a request fee for teen court program
16 (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the court
17 ordering the fee is located in the Texas-Louisiana border region,
18 but otherwise not to exceed \$10;

19 (17) a fee to cover costs of required duties of teen
20 court (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the
21 court ordering the fee is located in the Texas-Louisiana border
22 region, but otherwise \$10;

23 (18) a mileage fee for officer performing certain
24 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per
25 mile;

26 (19) certified mailing of notice of hearing date
27 (Art. 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

1 (20) certified mailing of certified copies of an order
2 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,
3 plus postage;

4 (20-a) a fee to defray the cost of notifying state
5 agencies of orders of expungement (Art. 45.0216, Code of Criminal
6 Procedure) . . . \$30 per application;

7 (20-b) a fee to defray the cost of notifying state
8 agencies of orders of expunction (Art. 45.055, Code of Criminal
9 Procedure) . . . \$30 per application;

10 (21) sight orders:

11 (A) if the face amount of the check or sight order
12 does not exceed \$10 (Art. 102.007, Code of Criminal Procedure)
13 . . . not to exceed \$10;

14 (B) if the face amount of the check or sight order
15 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of
16 Criminal Procedure) . . . not to exceed \$15;

17 (C) if the face amount of the check or sight order
18 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of
19 Criminal Procedure) . . . not to exceed \$30;

20 (D) if the face amount of the check or sight order
21 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of
22 Criminal Procedure) . . . not to exceed \$50; and

23 (E) if the face amount of the check or sight order
24 is greater than \$500 (Art. 102.007, Code of Criminal Procedure)
25 . . . not to exceed \$75;

26 (22) fees for a pretrial intervention program:

27 (A) a supervision fee (Art. 102.012(a), Code of

1 Criminal Procedure) . . . \$60 a month plus expenses; and

2 (B) a district attorney, criminal district
3 attorney, or county attorney administrative fee (Art. 102.0121,
4 Code of Criminal Procedure) . . . not to exceed \$500;

5 (23) parking fee violations for child safety fund in
6 municipalities with populations:

7 (A) greater than 850,000 (Art. 102.014, Code of
8 Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and

9 (B) less than 850,000 (Art. 102.014, Code of
10 Criminal Procedure) . . . not to exceed \$5;

11 (24) an administrative fee for collection of fines,
12 fees, restitution, or other costs (Art. 102.072, Code of Criminal
13 Procedure) . . . not to exceed \$2 for each transaction; and

14 (25) a collection fee, if authorized by the
15 commissioners court of a county or the governing body of a
16 municipality, for certain debts and accounts receivable, including
17 unpaid fines, fees, court costs, forfeited bonds, and restitution
18 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30
19 percent of an amount more than 60 days past due.

20 SECTION 4. Subsection (i), Section 403.024, Government
21 Code, is amended to read as follows:

22 (i) The Department of Information Resources, after
23 consultation with the comptroller, shall prominently include a link
24 to the database established under this section on the public home
25 page of the state electronic Internet portal project [~~TexasOnline~~
26 ~~Project~~] described by Section 2054.252.

27 SECTION 5. Subdivision (2), Section 434.101, Government

1 Code, is amended to read as follows:

2 (2) "State electronic Internet portal"
3 [~~"TexasOnline"~~] has the meaning assigned by Section 2054.003.

4 SECTION 6. Subsection (a), Section 434.102, Government
5 Code, is amended to read as follows:

6 (a) The Department of Information Resources shall establish
7 and maintain on the state electronic Internet portal [~~TexasOnline~~]
8 a veterans website. The website must allow veterans to access
9 information on state and federal veterans benefits programs.

10 SECTION 7. Subsection (c), Section 441.010, Government
11 Code, is amended to read as follows:

12 (c) The department shall provide a link on the state
13 electronic Internet portal [~~TexasOnline~~] to the database
14 established under Subsection (b). In this subsection, "state
15 electronic Internet portal" [~~"TexasOnline"~~] has the meaning
16 assigned by Section 2054.003.

17 SECTION 8. Subsection (d), Section 531.0313, Government
18 Code, is amended to read as follows:

19 (d) The Texas Information and Referral Network shall
20 coordinate with the Department of Information Resources to maintain
21 the Internet site through the state electronic Internet portal
22 [~~TexasOnline~~] project established by the Department of Information
23 Resources.

24 SECTION 9. Subsection (b), Section 531.0317, Government
25 Code, is amended to read as follows:

26 (b) The commission, in cooperation with the Department of
27 Information Resources, shall establish and maintain through the

1 state electronic Internet portal [~~TexasOnline~~] project established
2 by the Department of Information Resources a generally accessible
3 and interactive Internet site that contains information for the
4 public regarding the services and programs provided or administered
5 by each of the health and human services agencies throughout the
6 state. The commission shall establish the site in such a manner
7 that it can be located easily through electronic means.

8 SECTION 10. Subdivision (15), Section 2054.003, Government
9 Code, is amended to read as follows:

10 (15) "State electronic Internet portal"
11 [~~"TexasOnline"~~] means the electronic government project or its
12 successor project implemented under Subchapter I.

13 SECTION 11. Subsection (b), Section 2054.055, Government
14 Code, is amended to read as follows:

15 (b) The report must:

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

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

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

23 (4) provide a summary of the total expenditures for
24 information resources and information resources technologies by
25 the state;

26 (5) make recommendations for improving the
27 effectiveness and cost-efficiency of the state's use of information

1 resources;

2 (6) describe the status, progress, benefits, and
3 efficiency gains of the state electronic Internet portal
4 [~~TexasOnline~~] project, including any significant issues regarding
5 contract performance;

6 (7) provide a financial summary of the state
7 electronic Internet portal [~~TexasOnline~~] project, including
8 project costs and revenues;

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

12 (9) provide a summary of agency and statewide results
13 in providing access to electronic and information resources to
14 individuals with disabilities as required by Subchapter M; and

15 (10) assess the progress made toward accomplishing the
16 goals of the plan for a state telecommunications network and
17 developing a system of telecommunications services as provided by
18 Subchapter H.

19 SECTION 12. The heading to Section 2054.111, Government
20 Code, is amended to read as follows:

21 Sec. 2054.111. USE OF STATE ELECTRONIC INTERNET PORTAL
22 [~~TEXASONLINE~~] PROJECT.

23 SECTION 13. The heading to Section 2054.1115, Government
24 Code, is amended to read as follows:

25 Sec. 2054.1115. ELECTRONIC PAYMENTS ON STATE ELECTRONIC
26 INTERNET PORTAL [~~TEXASONLINE~~].

27 SECTION 14. Subsection (a), Section 2054.1115, Government

1 Code, is amended to read as follows:

2 (a) A state agency or local government that uses the state
3 electronic Internet portal [~~TexasOnline~~] may use electronic
4 payment methods, including the acceptance of credit and debit
5 cards, for:

6 (1) point-of-sale transactions, including:

7 (A) person-to-person transactions;

8 (B) transactions that use an automated process to
9 facilitate a person-to-person transaction; and

10 (C) transactions completed by a person at an
11 unattended self-standing computer station using an automated
12 process;

13 (2) telephone transactions; or

14 (3) mail transactions.

15 SECTION 15. Section 2054.113, Government Code, is amended
16 to read as follows:

17 Sec. 2054.113. DUPLICATION WITH STATE ELECTRONIC INTERNET
18 PORTAL [~~TEXASONLINE~~]. (a) This section does not apply to a state
19 agency that is a university system or institution of higher
20 education as defined by Section 61.003, Education Code.

21 (b) A state agency may not duplicate an infrastructure
22 component of the state electronic Internet portal [~~TexasOnline~~],
23 unless the department approves the duplication. In this
24 subsection, "infrastructure" does not include the development of
25 applications, and the supporting platform, for electronic
26 government projects.

27 (c) Before a state agency may contract with a third party

1 for Internet application development that duplicates a state
2 electronic Internet portal [~~TexasOnline~~] function, the state
3 agency must notify the department of its intent to bid for such
4 services at the same time that others have the opportunity to
5 bid. The department may exempt a state agency from this section if
6 it determines the agency has fully complied with Section 2054.111.

7 SECTION 16. Subsection (e), Section 2054.116, Government
8 Code, is amended to read as follows:

9 (e) This section does not apply to interactive applications
10 provided through the state electronic Internet portal
11 [~~TexasOnline~~].

12 SECTION 17. Subsection (d), Section 2054.125, Government
13 Code, is amended to read as follows:

14 (d) Each state agency that maintains a generally accessible
15 Internet site and that uses the state electronic Internet portal
16 [~~TexasOnline~~] shall include a link to the state electronic Internet
17 portal [~~TexasOnline~~] on the front page of the Internet site.

18 SECTION 18. Subsection (a), Section 2054.128, Government
19 Code, is amended to read as follows:

20 (a) State agencies that have jurisdiction over matters
21 related to environmental protection or quality or to the
22 development, conservation, or preservation of natural resources
23 shall develop, in mutual cooperation with the department, a single
24 information link, through the state electronic Internet
25 [~~TexasOnline~~] portal, to provide electronic access to information
26 and services related to the agencies' authority and duties,
27 including access to agency rules and other public information.

1 SECTION 19. Subsection (c), Section 2054.131, Government
2 Code, is amended to read as follows:

3 (c) The electronic infrastructure established under
4 Subsection (a) may include the state electronic Internet portal
5 [~~TexasOnline~~], the Internet, intranets, extranets, and wide area
6 networks.

7 SECTION 20. The heading to Subchapter I, Chapter 2054,
8 Government Code, is amended to read as follows:

9 SUBCHAPTER I. STATE ELECTRONIC INTERNET PORTAL [~~TEXASONLINE~~]
10 PROJECT

11 SECTION 21. The heading to Section 2054.252, Government
12 Code, is amended to read as follows:

13 Sec. 2054.252. STATE ELECTRONIC INTERNET PORTAL
14 [~~TEXASONLINE~~] PROJECT.

15 SECTION 22. Subsection (a), Section 2054.252, Government
16 Code, is amended to read as follows:

17 (a) The department shall implement a state electronic
18 Internet portal project [~~designated "TexasOnline"~~] that
19 establishes a common electronic infrastructure through which state
20 agencies and local governments, including licensing entities, may
21 by any method:

22 (1) send and receive documents or required payments to
23 and from:

- 24 (A) members of the public;
- 25 (B) persons who are regulated by the agencies or
26 local governments; and
- 27 (C) the agencies and local governments;

1 (2) receive applications for original and renewal
2 licenses and permits, including occupational licenses, complaints
3 about occupational license holders, and other documents for filing
4 from members of the public and persons who are regulated by a state
5 agency or local government that, when secure access is necessary,
6 can be electronically validated by the agency, local government,
7 member of the public, or regulated person;

8 (3) send original and renewal occupational licenses to
9 persons regulated by licensing entities;

10 (4) send profiles of occupational license holders to
11 persons regulated by licensing entities and to the public;

12 (5) store information; and

13 (6) provide and receive any other service to and from
14 the agencies and local governments or the public.

15 SECTION 23. Subsections (a) and (b), Section 2054.272,
16 Government Code, are amended to read as follows:

17 (a) A state agency that has jurisdiction over matters
18 related to occupational licenses, including a licensing entity of
19 this state, shall develop in cooperation with the department a link
20 through the state electronic Internet [~~TexasOnline~~] portal.

21 (b) The link shall provide streamlined access to each
22 occupational license listed on the state electronic Internet portal
23 [~~TexasOnline~~].

24 SECTION 24. Subsection (c), Section 2054.355, Government
25 Code, is amended to read as follows:

26 (c) If the department uses the state electronic Internet
27 portal [~~TexasOnline~~] to implement the system, the department may

1 recover costs incurred under this section as provided by Section
2 2054.252 [~~as added by Chapter 342, Acts of the 77th Legislature,~~
3 ~~Regular Session, 2001~~].

4 SECTION 25. Subdivision (1), Section 2055.001, Government
5 Code, is amended to read as follows:

6 (1) "Board," "department," "electronic government
7 project," "executive director," "local government," "major
8 information resources project," "quality assurance team," and
9 "state electronic Internet portal" [~~"TexasOnline"~~] have the
10 meanings assigned by Section 2054.003.

11 SECTION 26. Section 2055.202, Government Code, is amended
12 to read as follows:

13 Sec. 2055.202. ESTABLISHMENT OF PROJECT. The department
14 shall establish an electronic government project to develop an
15 Internet website accessible through the state electronic Internet
16 portal [~~TexasOnline~~] that:

17 (1) provides a single location for state agencies to
18 post electronic summaries of state grant assistance opportunities
19 with the state agencies;

20 (2) enables a person to search for state grant
21 assistance programs provided by state agencies;

22 (3) allows, when feasible, electronic submission of
23 state grant assistance applications;

24 (4) improves the effectiveness and performance of
25 state grant assistance programs;

26 (5) streamlines and simplifies state grant assistance
27 application and reporting processes; and

1 (6) improves the delivery of services to the public.

2 SECTION 27. Subsections (c), (c-1), and (c-3), Section
3 105.003, Health and Safety Code, are amended to read as follows:

4 (c) The Department of Information Resources, through the
5 state electronic Internet portal [~~TexasOnline~~] and in consultation
6 with the council and the Health Professions Council, shall add and
7 label as "mandatory" the following fields on an application or
8 renewal form for a license, certificate, or registration for a
9 person subject to Subsection (c-2):

10 (1) full name and last four digits of social security
11 number;

12 (2) full mailing address; and

13 (3) educational background and training, including
14 basic health professions degree, school name and location of basic
15 health professions degree, and graduation year for basic health
16 professions degree, and, as applicable, highest professional
17 degree obtained, related professional school name and location, and
18 related graduation year.

19 (c-1) The Department of Information Resources, through the
20 state electronic Internet portal [~~TexasOnline~~] and in consultation
21 with the council and the Health Professions Council, shall add the
22 following fields on an application or renewal form for a license,
23 certificate, or registration for a person subject to Subsection
24 (c-2):

25 (1) date and place of birth;

26 (2) sex;

27 (3) race and ethnicity;

- 1 (4) location of high school;
- 2 (5) mailing address of primary practice;
- 3 (6) number of hours per week spent at primary practice
- 4 location;
- 5 (7) description of primary practice setting;
- 6 (8) primary practice information, including primary
- 7 specialty practice, practice location zip code, and county; and
- 8 (9) information regarding any additional practice,
- 9 including description of practice setting, practice location zip
- 10 code, and county.

11 (c-3) The relevant members of the Health Professions
12 Council shall encourage each person described by Subsection (c-2)
13 licensed, certified, or registered under that council's authority
14 to submit application and renewal information under Subsections (c)
15 and (c-1) through the system developed by the Department of
16 Information Resources and the state electronic Internet portal
17 [~~TexasOnline~~].

18 SECTION 28. Subsection (b), Section 431.202, Health and
19 Safety Code, is amended to read as follows:

20 (b) An applicant for a license under this subchapter must
21 submit an application to the department on the form prescribed by
22 the department or electronically on the state electronic Internet
23 portal [~~TexasOnline Internet website~~].

24 SECTION 29. Subsection (d), Section 431.206, Health and
25 Safety Code, is amended to read as follows:

26 (d) The notice and confirmation required by this section are
27 deemed adequate if the licensee sends the notices by certified

1 mail, return receipt requested, to the central office of the
2 department or submits them electronically through the state
3 electronic Internet portal [~~TexasOnline Internet website~~].

4 SECTION 30. Subsection (d), Section 431.410, Health and
5 Safety Code, is amended to read as follows:

6 (d) The notice and confirmation required by this section are
7 considered adequate if the license holder sends the notices by
8 certified mail, return receipt requested, to the central office of
9 the department or submits the notices electronically through the
10 state electronic Internet portal [~~TexasOnline Internet website~~].

11 SECTION 31. Section 548.258, Transportation Code, is
12 amended to read as follows:

13 Sec. 548.258. USE OF STATE ELECTRONIC INTERNET PORTAL
14 [~~TEXASONLINE~~]. (a) In this section, "state electronic Internet
15 portal" [~~"TexasOnline"~~] has the meaning assigned by Section
16 2054.003, Government Code.

17 (b) The department may adopt rules to require an inspection
18 station to use the state electronic Internet portal [~~TexasOnline~~]
19 to:

- 20 (1) purchase inspection certificates; or
21 (2) send to the department a record, report, or other
22 information required by the department.

23 SECTION 32. Subsection (a), Section 55.203, Utilities Code,
24 is amended to read as follows:

25 (a) A private for-profit publisher of a residential
26 telephone directory that is distributed to the public at minimal or
27 no cost shall include in the directory:

1 (1) a listing of any toll-free and local telephone
2 numbers of:

3 (A) state agencies;

4 (B) state public services; and

5 (C) each state elected official who represents
6 all or part of the geographical area for which the directory
7 contains listings; and

8 (2) the Internet address of the state electronic
9 Internet portal [~~TexasOnline~~] and a statement that Internet sites
10 for state agencies may be accessed through the state electronic
11 Internet portal [~~TexasOnline~~].

12 SECTION 33. This Act takes effect immediately if it
13 receives a vote of two-thirds of all the members elected to each
14 house, as provided by Section 39, Article III, Texas Constitution.
15 If this Act does not receive the vote necessary for immediate
16 effect, this Act takes effect September 1, 2011.