

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

(c-1) In this subsection, "state electronic Internet portal" [~~"TexasOnline"~~] has the meaning assigned by Section 2054.003, Government Code. As an alternative to receiving the defendant's driving record under Subsection (c)(2), the judge, at the time the defendant requests a driving safety course or motorcycle operator training course dismissal under this article, may require the defendant to pay a fee in an amount equal to the sum of the amount of the fee established by Section 521.048, Transportation Code, and the state electronic Internet portal [~~TexasOnline~~] fee and, using the state electronic Internet portal [~~TexasOnline~~], may request the Texas Department of Public Safety to provide the judge with a copy of the defendant's driving record that shows the information described by Section 521.047(b), Transportation Code. As soon as practicable and using the state electronic Internet portal [~~TexasOnline~~], the Texas Department of Public Safety shall provide the judge with the requested copy of the defendant's driving record. The fee authorized by this subsection is in addition to any other fee required under this article. If the copy of the defendant's driving record provided to the judge under this subsection shows that the defendant has not completed an approved driving safety course or motorcycle operator training course, as appropriate, within the 12 months preceding the date of the offense, the judge shall allow the defendant to complete the appropriate course as provided by this article. The custodian of a municipal or county treasury who receives fees collected under this subsection shall keep a record of the fees and, without deduction or proration, forward the fees to the comptroller, with and in the manner required for other fees and costs

SENATE VERSION (CS)

SECTION 1. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

received in connection with criminal cases. The comptroller shall credit fees received under this subsection to the Texas Department of Public Safety.

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

(b) The Department of Information Resources shall:

- (1) host the portal through the state electronic Internet portal project [~~known as TexasOnline~~];
- (2) organize the portal in a manner that simplifies portal use and administration;
- (3) provide any necessary technical advice to the agency, including advice relating to equipment required in connection with the portal;
- (4) provide a method for maintaining the information made available through the portal; and
- (5) cooperate with the agency in linking the agency's Internet site to the portal.

SECTION 3. Section 103.021, Government Code, is amended to read as follows:

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

- (1) a personal bond fee (Art. 17.42, Code of Criminal Procedure) . . . the greater of \$20 or three percent of the amount of the bail fixed for the accused;
- (2) cost of electronic monitoring as a condition of release on personal bond (Art. 17.43, Code of Criminal Procedure) . . .

SENATE VERSION (CS)

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

actual cost;

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

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

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

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

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

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

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

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

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

(12) fee for failure to appear for trial in a justice or municipal court if a jury trial is not waived (Art. 45.026, Code of

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

Criminal Procedure) . . . costs incurred for impaneling the jury;

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

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

(15) an additional fee:

(A) for a copy of the defendant's driving record to be requested from the Department of Public Safety by the judge (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal to the sum of the fee established by Section 521.048, Transportation Code, and the state electronic Internet portal [TexasOnline] fee;

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

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

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

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

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

region, but otherwise \$10;

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

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

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

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

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

(21) sight orders:

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

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

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

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

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

(22) fees for a pretrial intervention program:

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (A) a supervision fee (Art. 102.012(a), Code of Criminal Procedure) . . . \$60 a month plus expenses; and
- (B) a district attorney, criminal district attorney, or county attorney administrative fee (Art. 102.0121, Code of Criminal Procedure) . . . not to exceed \$500;
- (23) parking fee violations for child safety fund in municipalities with populations:
 - (A) greater than 850,000 (Art. 102.014, Code of Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and
 - (B) less than 850,000 (Art. 102.014, Code of Criminal Procedure) . . . not to exceed \$5;
- (24) an administrative fee for collection of fines, fees, restitution, or other costs (Art. 102.072, Code of Criminal Procedure) . . . not to exceed \$2 for each transaction; and
- (25) a collection fee, if authorized by the commissioners court of a county or the governing body of a municipality, for certain debts and accounts receivable, including unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30 percent of an amount more than 60 days past due.

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

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

SECTION 5. Section 434.101(2), Government Code, is amended to read as follows:

- (2) "State electronic Internet portal" [~~"TexasOnline"~~] has the

SENATE VERSION (CS)

SECTION 4. Same as House version.

SECTION 5. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

meaning assigned by Section 2054.003.

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

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

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

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

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

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

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

(b) The commission, in cooperation with the Department of Information Resources, shall establish and maintain through the state electronic Internet portal [~~TexasOnline~~] project established by the Department of Information Resources a

SECTION 6. Same as House version.

SECTION 7. Same as House version.

SECTION 8. Same as House version.

SECTION 9. Same as House version.

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

generally accessible and interactive Internet site that contains information for the public regarding the services and programs provided or administered by each of the health and human services agencies throughout the state. The commission shall establish the site in such a manner that it can be located easily through electronic means.

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

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

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

(b) The report must:

- (1) assess the progress made toward meeting the goals and objectives of the state strategic plan for information resources management;
- (2) describe major accomplishments of the state or a specific state agency in information resources management;
- (3) describe major problems in information resources management confronting the state or a specific state agency;
- (4) provide a summary of the total expenditures for information resources and information resources technologies by the state;
- (5) make recommendations for improving the effectiveness and cost-efficiency of the state's use of information resources;
- (6) describe the status, progress, benefits, and efficiency gains of the state electronic Internet portal [~~TexasOnline~~] project, including any significant issues regarding contract performance;

SENATE VERSION (CS)

SECTION 10. Same as House version.

SECTION 11. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

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

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

SECTION 14. Section 2054.1115(a), Government Code, is amended to read as follows:

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

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

(A) person-to-person transactions;

SENATE VERSION (CS)

SECTION 12. Same as House version.

SECTION 13. Same as House version.

SECTION 14. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (B) transactions that use an automated process to facilitate a person-to-person transaction; and
- (C) transactions completed by a person at an unattended self-standing computer station using an automated process;
- (2) telephone transactions; or
- (3) mail transactions.

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

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

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

(c) Before a state agency may contract with a third party for Internet application development that duplicates a state electronic Internet portal [TexasOnline] function, the state agency must notify the department of its intent to bid for such services at the same time that others have the opportunity to bid. The department may exempt a state agency from this section if it determines the agency has fully complied with Section 2054.111.

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

- (e) This section does not apply to interactive applications

SENATE VERSION (CS)

SECTION 15. Same as House version.

SECTION 16. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

provided through the state electronic Internet portal [~~TexasOnline~~].

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

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

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

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

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

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

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

SENATE VERSION (CS)

SECTION 17. Same as House version.

SECTION 18. Same as House version.

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

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

SECTION 20. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

SUBCHAPTER I. STATE ELECTRONIC INTERNET PORTAL [TEXASONLINE] PROJECT

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

Sec. 2054.252. STATE ELECTRONIC INTERNET PORTAL [TEXASONLINE] PROJECT.

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

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

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

(A) members of the public;

(B) persons who are regulated by the agencies or local governments; and

(C) the agencies and local governments;

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

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

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

SECTION 21. Same as House version.

SECTION 22. Same as House version.

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (5) store information; and
- (6) provide and receive any other service to and from the agencies and local governments or the public.

SECTION 23. Sections 2054.272(a) and (b), Government Code, are amended to read as follows:

- (a) A state agency that has jurisdiction over matters related to occupational licenses, including a licensing entity of this state, shall develop in cooperation with the department a link through the state electronic Internet [~~TexasOnline~~] portal.
- (b) The link shall provide streamlined access to each occupational license listed on the state electronic Internet portal [~~TexasOnline~~].

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

- (c) If the department uses the state electronic Internet portal [~~TexasOnline~~] to implement the system, the department may recover costs incurred under this section as provided by Section 2054.252[~~, as added by Chapter 342, Acts of the 77th Legislature, Regular Session, 2001~~].

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

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

SECTION 26. Section 2055.202, Government Code, is

SENATE VERSION (CS)

SECTION 23. Same as House version.

SECTION 24. Same as House version.

SECTION 25. Same as House version.

SECTION 26. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

amended to read as follows:

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

- (1) provides a single location for state agencies to post electronic summaries of state grant assistance opportunities with the state agencies;
- (2) enables a person to search for state grant assistance programs provided by state agencies;
- (3) allows, when feasible, electronic submission of state grant assistance applications;
- (4) improves the effectiveness and performance of state grant assistance programs;
- (5) streamlines and simplifies state grant assistance application and reporting processes; and
- (6) improves the delivery of services to the public.

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

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

- (1) full name and last four digits of social security number;
- (2) full mailing address; and
- (3) educational background and training, including basic health professions degree, school name and location of basic health professions degree, and graduation year for basic health

SECTION 27. Same as House version.

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

professions degree, and, as applicable, highest professional degree obtained, related professional school name and location, and related graduation year.

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

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

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

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

SECTION 28. Same as House version.

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

(d) The notice and confirmation required by this section are deemed adequate if the licensee sends the notices by certified mail, return receipt requested, to the central office of the department or submits them electronically through the state electronic Internet portal [~~TexasOnline Internet website~~].

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

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

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

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

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

- (1) purchase inspection certificates; or

SENATE VERSION (CS)

SECTION 29. Same as House version.

SECTION 30. Same as House version.

SECTION 31. Same as House version.

CONFERENCE

House Bill 1504
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(2) send to the department a record, report, or other information required by the department.

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

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

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

(A) state agencies;

(B) state public services; and

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

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

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

SENATE VERSION (CS)

SECTION 32. Same as House version.

SECTION 33. Same as House version.

CONFERENCE