

House Bill 2439
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter F, Chapter 2054, Government Code, is amended by adding Section 2054.1265 to read as follows:

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

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

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

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

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

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

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

SENATE VERSION (IE)

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

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

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

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

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

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

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

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

Sec. 2054.1266. POSTING HIGH-VALUE DATA SETS ON INTERNET. (a) In this section:

(1) "High-value data set" means information that can be used to increase state agency accountability and responsiveness, improve public knowledge of the agency and its operations, further the core mission of the agency, create economic

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opportunity, or respond to need and demand as identified through public consultation. The term does not include information that is confidential or protected from disclosure under state or federal law.

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

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

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

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

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

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

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

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

(2) have a conspicuously displayed link on either the agency's Internet website home page or another intuitive location

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accessible from the agency's Internet website home page.
(e) A state agency may accept a gift or grant for the purpose of posting one or more of the agency's high-value data sets on an Internet website.

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

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

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

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

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

No equivalent provision.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

SECTION __. (a) The legislature finds that:
(1) a competitive electric services market requires timely,

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accurate, and adequate information about the products and services offered to consumers in the market; and

(2) the Public Utility Commission of Texas operates an Internet website regarding the power to choose retail electric providers on which offers by those providers are published.

(b) Subchapter C, Chapter 39, Utilities Code, is amended by adding Section 39.110 to read as follows:

Sec. 39.110. TEXAS ELECTRIC CHOICE WEBSITE. (a) The commission shall publish and maintain an Internet website that allows customers to view competitive offers from retail electric providers. The website must enable a user to search by zip code offers available to a residential customer in the user's service area. Retail electric providers may, but are not required to, post offers available to residential customers on the website.

(b) At minimum, the Internet website must include:

(1) features that make the website accessible to people with disabilities;

(2) a clear identification with each retail electric service price offer posted on the website of the category of the product as defined by commission rules;

(3) a searchable and sortable database of each retail electric provider offer on the website that allows the information to be read into a commercially available electronic database;

(4) information about the following programs available in the user's service area through a state agency or utility:

(A) energy efficiency programs, including weatherization and rebate programs;

(B) distributed renewable generation policies and programs, including rebate programs; and

(C) low-income utility assistance programs, including bill payment assistance, weatherization, and rebate programs; and

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(5) access to information regarding retail electric providers' offers to residential distributed renewable generation owners for the owners' surplus electricity.

(c) The commission shall establish a project to implement this section. The commission shall create a working committee to provide input on the implementation of this section that is composed of members of commission staff, experts in user-centered web design, experts in consumer-choice web design, retail electric providers, consumer advocates, and representatives of various categories of potential users of the redesigned website, including people with disabilities and low-income customers.

(d) The commission shall establish protocols relating to the frequency with which information posted on the website is updated, except that a retail electric provider may not be limited with respect to the frequency with which the provider may change an offer.

(e) The commission shall consult and cooperate with other state agencies in the design, both for content and usability, of the website, including agencies providing low-income consumer assistance and energy efficiency assistance and the interagency coordinating group established under Section 535.053, Government Code.

(c) Section 39.116, Utilities Code, is amended to read as follows:

Sec. 39.116. NOTICE REGARDING CUSTOMER CHOICE INFORMATION.

A retail electric provider shall include on each residential customer's bill a statement, in at least 12-point type on the front of the first page, that reads: "For more information about residential electric service please visit www.powertochoose.com." This section expires September 1,

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2023 [2014].

(d) The Public Utility Commission of Texas shall publish and begin operation of a redesigned Internet website as provided by Section 39.110, Utilities Code, as added by this section, not later than September 1, 2012.

(e) The Public Utility Commission of Texas may accept funds from any source, including gifts, grants, or donations, to implement Section 39.110, Utilities Code, as added by this section. The commission may not incorporate a preference for information displayed directly or indirectly in favor of any funding source. The commission may not require an entity to contribute funds to have information posted on the Internet website. Implementation of Section 39.110, Utilities Code, as added by this section, is contingent on a finding by the commission that sufficient funding exists or is likely to exist to carry out the provisions of Section 39.110, Utilities Code, as added by this section.

(f) Notwithstanding any other provisions of this Act, this section takes effect September 1, 2011. [FA1]

SECTION 4. This Act takes effect September 1, 2011.

SECTION 4. Same as House version.