

## **BILL ANALYSIS**

Senate Research Center

S.B. 866  
By: Paxton  
Government Organization  
7/12/2013  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, local governmental entities are not explicitly permitted to contract with statewide data centers for technology services, and it is reported that fewer than 30 state agencies currently use such services. Interested parties contend that, as data centers evolve to meet the needs of information resource technology, the expanded provision of data center services may create some cost savings through economies of scale. S.B. 866 seeks to enable local governments to capitalize on the same benefits that state agencies can gain from statewide data centers by permitting local governments to contract with those data centers for technology services.

S.B. 866 amends current law relating to authorizing local governments to participate in statewide technology centers.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2054.375, Government Code, as follows:

Sec. 2054.375. New heading: DEFINITIONS. Defines "governmental entity" and makes nonsubstantive changes.

SECTION 2. Amends Section 2054.376(a), Government Code, to provide that this subchapter (Statewide Technology Centers) applies to all information resources technologies, other than telecommunications service, advanced communications services, or information service, as those terms are defined by 47 U.S.C. Section 153 that meet certain criteria, including information resources technologies that are used by a participating local government. Makes nonsubstantive changes.

SECTION 3. Amends Subchapter L, Chapter 2054, Government Code, by adding Section 2054.3771, as follows:

Sec. 2054.3771. LOCAL GOVERNMENTS. Authorizes the Department of Information Resources (DIR) to establish or expand a statewide technology center to include participation by a local government. Provides that the executive director of DIR and DIR have all the powers necessary or appropriate, consistent with this chapter, to accomplish that purpose.

SECTION 4. Amends Section 2054.378(a), Government Code, to authorize DIR to operate statewide technology centers to provide two or more governmental entities, rather than two or more state agencies, on a cost-sharing basis, certain services, including the deployment, development, and maintenance of software applications, rather than the deployment and development of statewide applications.

SECTION 5. Amends Section 2054.380(a), Government Code, to require DIR to set and charge a fee to each governmental entity, rather than to each state agency, that receives a service from a

statewide technology center in an amount sufficient to cover the direct and indirect cost of providing the service.

SECTION 6. Amends Subchapter L, Chapter 2054, Government Code, by adding Section 2054.3851, as follows:

Sec. 2054.3851. LOCAL GOVERNMENT PARTICIPATION AND SELECTION. (a) Authorizes a local government to submit a request to DIR to receive services or operations through a statewide technology center. Requires the local government to identify its particular requirements, operations costs, and requested service levels.

(b) Requires DIR, on receipt of the request, to conduct a cost and requirements analysis for the local government.

(c) Requires DIR, if DIR selects the local government for participation in a statewide technology center, to provide notice to the local government that includes the scope of the services to be provided to the local government, a schedule of anticipated costs for the local government, and the implementation schedule for the local government.

(d) Authorizes a local government, if selected to participate in a statewide technology center, to contract with DIR to receive the identified services and have the identified operations performed through the statewide technology center.

(e) Authorizes two or more local governments that are parties to an interlocal agreement, acting through the entity designated by the parties to supervise performance of the interlocal agreement under Section 791.013 (Contract Supervision and Administration), to apply to DIR and participate in a statewide technology center.

SECTION 7. Amends Section 2054.387, Government Code, to require DIR to ensure compliance with service levels agreed to in an interagency contract or intergovernmental contract, as appropriate, executed under this subchapter.

SECTION 8. Effective date: upon passage or September 1, 2013.