

1-1 By: Elkins (Senate Sponsor - Zaffirini) H.B. No. 3093  
 1-2 (In the Senate - Received from the House May 6, 2013;  
 1-3 May 8, 2013, read first time and referred to Committee on  
 1-4 Government Organization; May 16, 2013, reported adversely, with  
 1-5 favorable Committee Substitute by the following vote:  
 1-6 Yeas 6, Nays 0; May 16, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3093 By: Zaffirini

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the powers and duties of the Department of Information  
 1-20 Resources and the Legislative Budget Board regarding information  
 1-21 resources technologies of state agencies.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 2054.051, Government Code, is amended by  
 1-24 adding Subsection (h) to read as follows:

1-25 (h) The department shall:

1-26 (1) coordinate with the quality assurance team and  
 1-27 Legislative Budget Board to develop contracting standards for  
 1-28 information resources technologies acquisition and purchased  
 1-29 services; and

1-30 (2) work with state agencies to ensure deployment of  
 1-31 standardized contracts.

1-32 SECTION 2. Section 2054.055, Government Code, is amended by  
 1-33 amending Subsection (b) and adding Subsection (b-2) to read as  
 1-34 follows:

1-35 (b) The report must:

1-36 (1) assess the progress made toward meeting the goals  
 1-37 and objectives of the state strategic plan for information  
 1-38 resources management;

1-39 (2) describe major accomplishments of the state or a  
 1-40 specific state agency in information resources management;

1-41 (3) describe major problems in information resources  
 1-42 management confronting the state or a specific state agency;

1-43 (4) provide a summary of the total expenditures for  
 1-44 information resources and information resources technologies by  
 1-45 the state;

1-46 (5) make recommendations for improving the  
 1-47 effectiveness and cost-efficiency of the state's use of information  
 1-48 resources;

1-49 (6) describe the status, progress, benefits, and  
 1-50 efficiency gains of the state electronic Internet portal project,  
 1-51 including any significant issues regarding contract performance;

1-52 (7) provide a financial summary of the state  
 1-53 electronic Internet portal project, including project costs and  
 1-54 revenues;

1-55 (8) provide a summary of the amount and use of  
 1-56 Internet-based training conducted by each state agency and  
 1-57 institution of higher education;

1-58 (9) provide a summary of agency and statewide results  
 1-59 in providing access to electronic and information resources to  
 1-60 individuals with disabilities as required by Subchapter M; ~~and~~

2-1 (10) assess the progress made toward accomplishing the  
2-2 goals of the plan for a state telecommunications network and  
2-3 developing a system of telecommunications services as provided by  
2-4 Subchapter H;

2-5 (11) identify proposed major information resources  
2-6 projects for the next state fiscal biennium, including project  
2-7 costs through stages of the project and across state fiscal years  
2-8 from project initiation to implementation;

2-9 (12) examine major information resources projects  
2-10 completed in the previous state fiscal biennium to determine the  
2-11 performance of the implementing state agency, cost and value  
2-12 effectiveness, timeliness, and other performance criteria  
2-13 necessary to assess the quality and value of the investment; and

2-14 (13) examine major information resources projects  
2-15 after the second anniversary of the project's completion to  
2-16 determine progress toward meeting performance goals and operating  
2-17 budget savings.

2-18 (b-2) The information required under Subsection (b)(11)  
2-19 must include:

2-20 (1) final total cost of ownership budget data for the  
2-21 entire life cycle of the major information resources project,  
2-22 including capital and operational costs that itemize staffing  
2-23 costs, contracted services, hardware purchased or leased, software  
2-24 purchased or leased, travel, and training;

2-25 (2) the original project schedule and the final actual  
2-26 project schedule;

2-27 (3) data on the progress toward meeting the original  
2-28 goals and performance measures of the project, specifically those  
2-29 related to operating budget savings;

2-30 (4) lessons learned on the project, performance  
2-31 evaluations of any vendors used in the project, and reasons for  
2-32 project delays or cost increases; and

2-33 (5) the benefits, cost avoidance, and cost savings  
2-34 generated by major technology resources projects.

2-35 SECTION 3. Subchapter C, Chapter 2054, Government Code, is  
2-36 amended by adding Sections 2054.065 and 2054.066 to read as  
2-37 follows:

2-38 Sec. 2054.065. IDENTITY MANAGEMENT PILOT PROGRAM. (a) In  
2-39 this section, "identity management" means the act of controlling  
2-40 information about computer users, including information that:

2-41 (1) authenticates the identity of a user;

2-42 (2) describes the user, the data the user is  
2-43 authorized to access, and the actions the user is authorized to  
2-44 perform; and

2-45 (3) specifies the individuals who and methods that are  
2-46 authorized to access and modify the data.

2-47 (b) The department, using available funds, with the  
2-48 cooperation of state agencies selected by the department, and in  
2-49 consultation with the Information Technology Council for Higher  
2-50 Education, shall develop and execute an identity management pilot  
2-51 program to address the delivery, support, maintenance, and  
2-52 operation of identity management technology.

2-53 (c) The pilot program shall assess:

2-54 (1) the costs of identity management to each state  
2-55 agency participating in the pilot program;

2-56 (2) the opportunities for other state agencies to use  
2-57 identity management policies and best practices identified by the  
2-58 department;

2-59 (3) the benefits to state agencies of identity  
2-60 management based on the results of the pilot program; and

2-61 (4) to the extent feasible, the use by state agencies  
2-62 of multifactor authentication, which may include systems that  
2-63 include digital signature and encryption.

2-64 (d) Not later than November 1, 2014, the department shall:

2-65 (1) prepare a report on the assessments made under  
2-66 Subsection (c) that identifies the short-term and long-term costs,  
2-67 risks, benefits, and other impacts to state agencies and this state  
2-68 of implementing identity management; and

2-69 (2) submit a copy of the report to the governor, the

3-1 lieutenant governor, the speaker of the house of representatives,  
3-2 the standing committees of the legislature with jurisdiction over  
3-3 state agency technology and government organization, and the  
3-4 Legislative Budget Board.

3-5 (e) To implement the pilot program, the department may  
3-6 contract with one or more providers for identity management  
3-7 services.

3-8 (f) This section expires January 1, 2016.

3-9 Sec. 2054.066. DEPARTMENT REVIEW. (a) The department, in  
3-10 consultation with the quality assurance team, the Information  
3-11 Technology Council for Higher Education, and the Legislative Budget  
3-12 Board, shall review existing statutes, procedures, data, and  
3-13 organizational structures to identify opportunities to increase  
3-14 efficiency, customer service, and transparency in information  
3-15 resources technologies. The department must:

3-16 (1) identify and address financial data needed to  
3-17 comprehensively evaluate information resources technologies  
3-18 spending from an enterprise perspective;

3-19 (2) review best practices in information resources  
3-20 technologies governance, including private sector practices and  
3-21 lessons learned from other states; and

3-22 (3) review existing statutes regarding information  
3-23 resources technologies governance, standards, and financing to  
3-24 identify inconsistencies between current law and best practices.

3-25 (b) The department shall report its findings and  
3-26 recommendations to the governor, lieutenant governor, speaker of  
3-27 the house of representatives, Senate Government Organization  
3-28 Committee and House Technology Committee not later than December 1,  
3-29 2014.

3-30 (c) This section expires January 1, 2016.

3-31 SECTION 4. Section 2054.102, Government Code, is amended by  
3-32 adding Subsection (b-1) to read as follows:

3-33 (b-1) The Legislative Budget Board, in consultation with  
3-34 the department and the Information Technology Council for Higher  
3-35 Education, shall establish criteria to evaluate state agency  
3-36 biennial operating plans. In developing the criteria, the board  
3-37 shall include criteria on:

3-38 (1) the feasibility of proposed information resources  
3-39 projects for the biennium;

3-40 (2) the consistency of the plan with the state  
3-41 strategic plan;

3-42 (3) the appropriate provision of public electronic  
3-43 access to information;

3-44 (4) evidence of business process streamlining and  
3-45 gathering of business and technical requirements; and

3-46 (5) services, costs, and benefits.

3-47 SECTION 5. Subchapter E, Chapter 2054, Government Code, is  
3-48 amended by adding Section 2054.105 to read as follows:

3-49 Sec. 2054.105. ENTERPRISE-BASED STRATEGY. (a) The  
3-50 department, in consultation with the quality assurance team, the  
3-51 Information Technology Council for Higher Education, and the  
3-52 Legislative Budget Board, shall develop an enterprise-based  
3-53 strategy for information resources technologies in state  
3-54 government based on information resources technologies expenditure  
3-55 information collected from state agencies under this chapter.

3-56 (b) In developing the enterprise-based strategy for the  
3-57 state, the department must consider the following opportunities to  
3-58 achieve greater efficiency:

3-59 (1) developing personal computer replacement policies  
3-60 for the state, with consideration given to alternative models of  
3-61 personal computer use for state government, including thin client,  
3-62 software as a service, browser-based functionality, mobile  
3-63 computing, and other models that are less dependent on traditional  
3-64 computing;

3-65 (2) pursuing shared services initiatives across  
3-66 functional areas, including e-mail, telephony, and data storage;

3-67 (3) pursuing pilot programs, including a pilot program  
3-68 to demonstrate the value of application management services, to  
3-69 identify opportunities to achieve operational efficiencies;

4-1 (4) in consultation with the state auditor, the state  
4-2 archivist, the state records administrator, and the Texas State  
4-3 Library and Archives Commission, developing recommended policies  
4-4 for state agencies regarding data storage, record retention  
4-5 requirements and schedules, and the creation of a digital  
4-6 repository for permanently valuable electronic records of state  
4-7 government;

4-8 (5) reviewing existing software maintenance contracts  
4-9 to identify opportunities to renegotiate the price of those  
4-10 contracts or the level of service; and

4-11 (6) partnering with providers for commonly used  
4-12 information resources technologies.

4-13 (c) A department, commission, board, office, council,  
4-14 authority, or other agency of the legislative branch may coordinate  
4-15 with and participate in shared service initiatives, pilot programs,  
4-16 and the development of the enterprise-based strategy, where  
4-17 appropriate.

4-18 (d) The department, quality assurance team, and Legislative  
4-19 Budget Board shall work with state agencies to improve the  
4-20 acquisition and delivery of information resources technologies  
4-21 products and services.

4-22 (e) For the purposes of this subsection, enterprise-based  
4-23 strategy means a strategy to achieve efficiencies and cost savings  
4-24 that applies to two or more state agencies.

4-25 SECTION 6. This Act takes effect September 1, 2013.

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