

BILL ANALYSIS

C.S.H.B. 1898
By: Uresti, Tomas
Government Transparency & Operation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that current practices for state agency digital data storage and records management could be improved. C.S.H.B. 1898 seeks to study such practices as currently implemented by certain state agencies and develop recommendations for reducing state costs and improving the efficiency of such practices.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1898 requires the Department of Information Resources (DIR), in consultation with the Texas State Library and Archives Commission (TSLAC), to conduct a study on the digital data storage and records management practices of executive and judicial branch state agencies created by the Texas Constitution or state law, excluding a public university system or public institution of higher education, and the associated costs of those practices to the state. The bill sets out the information the study must examine and requires each applicable state agency to participate in the study and provide appropriate assistance and information to DIR and TSLAC. The bill requires DIR to issue a report to the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the house of representatives and the senate not later than December 1, 2018, on the study and recommendations for reducing state costs and for improving efficiency in digital data storage and records management. The bill expires September 1, 2019.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1898 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. (a) In this section, "state agency" means a board, commission, office, department, council, authority, or other agency in the executive or judicial branch of state government that is created by the constitution or a statute of this state. The term does not include a university system or institution of higher education as those terms are defined by Section 61.003, Education Code.

(b) The Department of Information Resources and the Texas State Library and Archives Commission shall conduct a study on state agency digital data storage and records management practices and the associated costs to this state.

(c) The study required under this section must examine:

- (1) the current digital data storage practices of state agencies in this state;
- (2) the costs associated with those digital data storage practices;
- (3) the digital records management and data classification policies of state agencies and whether the state agencies are consistently complying with the established policies;
- (4) whether the state agencies are storing digital data that exceeds established retention requirements and the cost of that unnecessary storage;
- (5) the adequacy of storage systems used by state agencies to securely maintain confidential digital records; and
- (6) possible solutions and improvements recommended by the state agencies for reducing state costs and increasing security for digital data storage and records management.

(d) Each state agency shall participate in the study required by this section and provide appropriate assistance and information to the Department of Information Resources and the Texas State Library and Archives Commission.

(e) Not later than December 1, 2018, the Department of Information Resources and the Texas State Library and Archives Commission shall issue a report on the study required under this section and recommendations for reducing state costs and for improving efficiency in digital data storage and records management to the

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. (a) In this section, "state agency" means a board, commission, office, department, council, authority, or other agency in the executive or judicial branch of state government that is created by the constitution or a statute of this state. The term does not include a university system or institution of higher education as those terms are defined by Section 61.003, Education Code.

(b) The Department of Information Resources, in consultation with the Texas State Library and Archives Commission, shall conduct a study on state agency digital data storage and records management practices and the associated costs to this state.

(c) The study required under this section must examine:

- (1) the current digital data storage practices of state agencies in this state;
- (2) the costs associated with those digital data storage practices;
- (3) the digital records management and data classification policies of state agencies and whether the state agencies are consistently complying with the established policies;
- (4) whether the state agencies are storing digital data that exceeds established retention requirements and the cost of that unnecessary storage;
- (5) the adequacy of storage systems used by state agencies to securely maintain confidential digital records; and
- (6) possible solutions and improvements recommended by the state agencies for reducing state costs and increasing security for digital data storage and records management.

(d) Each state agency shall participate in the study required by this section and provide appropriate assistance and information to the Department of Information Resources and the Texas State Library and Archives Commission.

(e) Not later than December 1, 2018, the Department of Information Resources shall issue a report on the study required under this section and recommendations for reducing state costs and for improving efficiency in digital data storage and records management to the lieutenant governor, the speaker of the house of representatives, and

lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the house of representatives and the senate.

(f) This section expires September 1, 2019.

SECTION 2. This Act takes effect September 1, 2017.

the appropriate standing committees of the house of representatives and the senate.

(f) This Act expires September 1, 2019.

SECTION 2. Same as introduced version.