

By: Nelson

S.B. No. 532

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to reports on and purchase of information technology by  
3 state agencies.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 552.139(b), Government Code, is amended  
6 by adding subsection (4) to read as follows:

7 (b) The following information is confidential:

8 (1) a computer network vulnerability report;

9 (2) any other assessment of the extent to which data  
10 processing operations, a computer, a computer program, network,  
11 system, or system interface, or software of a governmental body or  
12 of a contractor of a governmental body is vulnerable to  
13 unauthorized access or harm, including an assessment of the extent  
14 to which the governmental body's or contractor's electronically  
15 stored information containing sensitive or critical information is  
16 vulnerable to alteration, damage, erasure, or inappropriate use;  
17 and

18 (3) a photocopy or other copy of an identification  
19 badge issued to an official or employee of a governmental body.

20 (4) information collected, assembled, or maintained  
21 by or for a governmental entity to prevent, detect, or investigate  
22 security incidents.

23 SECTION 2. Subchapter C, Chapter 2054, Government Code, is  
24 amended by adding Section 2054.068 to read as follows:

1       Sec. 2054.068. INFORMATION TECHNOLOGY INFRASTRUCTURE  
2 REPORT. (a) In this section, "information technology" includes  
3 information resources and information resources technologies.

4       (b) The department shall collect from each state agency  
5 information on the status and condition of the agency's information  
6 technology infrastructure, including information regarding:

7           (1) the agency's information security program;

8           (2) an inventory of the agency's servers, mainframes,  
9 and other information technology equipment;

10          (3) identification of vendors that operate and manage  
11 the agency's information technology infrastructure; and

12          (4) any additional related information requested by  
13 the department.

14       (c) A state agency shall provide the information required by  
15 Subsection (b) to the department according to a schedule determined  
16 by the department.

17       (d) Not later than August 31 of each even-numbered year, the  
18 department shall submit to the governor, chair of the house  
19 appropriations committee, chair of the senate finance committee,  
20 speaker of the house of representatives, lieutenant governor, and  
21 staff of the Legislative Budget Board a consolidated report of the  
22 information submitted by state agencies under Subsection (b).

23       (e) The consolidated report required by Subsection (d)  
24 must:

25           (1) include an analysis and assessment of each state  
26 agency's security and operational risks; and

27           (2) for a state agency found to be at higher security

1 and operational risks, include a detailed analysis of the  
2 requirements for the agency to address the risks and related  
3 vulnerabilities and the cost estimates to implement those  
4 requirements.

5 (f) The department may exempt from the reporting  
6 requirements of this section:

7 (1) a state agency that has consolidated some or all of  
8 the agency's information technology infrastructure to the  
9 statewide technology centers established by the department; or

10 (2) a state agency that presents good cause for an  
11 exemption.

12 (g) With the exception of information that is confidential  
13 under Chapter 552, including Section 552.139, or other state or  
14 federal law, the consolidated report submitted under Subsection (d)  
15 is public information and must be released or made available to the  
16 public upon request. A governmental body as defined by Section  
17 552.003, Government Code, may withhold information confidential  
18 under Chapter 552, including Section 552.139, or other state or  
19 federal law that is contained in a consolidated report released  
20 under this section without the necessity of requesting a decision  
21 from the attorney general under Subchapter G, Chapter 552,  
22 Government Code.

23 (h) This section does not apply to an institution of higher  
24 education or university system, as defined by Section 61.003,  
25 Education Code.

26 SECTION 3. Section 2054.0965(a), Government Code, is  
27 amended to read as follows:

1 (a) Not later than March 31 [~~December 1~~] of each  
2 even-numbered [~~odd-numbered~~] year, a state agency shall complete a  
3 review of the operational aspects of the agency's information  
4 resources deployment following instructions developed by the  
5 department.

6 SECTION 4. Section 2157.007, Government Code, is amended by  
7 amending Subsection (b) and adding Subsection (e) to read as  
8 follows:

9 (b) A state agency shall [~~may~~] consider cloud computing  
10 service options, including any cost savings associated with  
11 purchasing those service options from a commercial cloud computing  
12 service provider or a statewide technology center established by  
13 the department, when making purchases for a major information  
14 resources project under Section 2054.118.

15 (e) Not later than August 1 of each even-numbered year, the  
16 department, using existing resources, shall submit a report to the  
17 governor, lieutenant governor, and speaker of the house of  
18 representatives on the use of cloud computing service options by  
19 state agencies. The report must include use cases that provided  
20 cost savings and other benefits, including security enhancements.  
21 A state agency shall cooperate with the department in the creation  
22 of the report by providing timely and accurate information and any  
23 assistance required by the department.

24 SECTION 5. This Act takes effect September 1, 2017.