

By: Capriglione

H.B. No. 1096

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the modernization of state agency information
3 technology systems.

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

5 SECTION 1. Subchapter G, Chapter 403, Government Code, is
6 amended by adding Section 403.1105 to read as follows:

7 Sec. 403.1105. STATE TECHNOLOGY MODERNIZATION ACCOUNT. (a)

8 In this section:

9 (1) "Account" means the state technology
10 modernization account.

11 (2) "Cloud computing service" has the meaning assigned
12 by Section 2157.007.

13 (3) "Information technology system" means any
14 equipment or interconnected system or subsystem of equipment used
15 by a state agency, or a person under a contract with a state agency
16 if the contract requires use of the equipment, to acquire, store,
17 analyze, evaluate, manipulate, manage, move, control, display,
18 switch, interchange, transmit, or receive data or other
19 information. The term:

20 (A) includes a computer, ancillary computer
21 equipment such as imaging peripherals and input, output, and
22 storage devices necessary for security and surveillance,
23 peripheral equipment designed to be controlled by the central
24 processing unit of a computer, software and firmware and similar

1 procedures, and services, including support services, and related
2 resources; and

3 (B) does not include equipment acquired by a
4 contractor incidental to a state contract.

5 (4) "Legacy information technology system" means an
6 information technology system that is operated with obsolete or
7 inefficient hardware or software technology.

8 (5) "State agency" has the meaning assigned by Section
9 [2254.151](#).

10 (b) The state technology modernization account is a
11 dedicated account in the general revenue fund.

12 (c) The account consists of:

13 (1) money appropriated, credited, or transferred to
14 the account by the legislature;

15 (2) any federal money appropriated, credited, or
16 transferred to the account;

17 (3) money deposited to the account by the comptroller
18 in the manner prescribed by Subsection (e); and

19 (4) interest and other earnings earned on deposits and
20 investments of money in the account.

21 (d) Except as provided by Subsection (f), money in the
22 account may be appropriated to a state agency only for the purposes
23 of:

24 (1) replacing the agency's information technology
25 systems;

26 (2) transitioning the agency's legacy information
27 technology systems to a cloud computing service;

1 (3) assisting the agency's efforts to provide
2 adequate, risk-based, and cost-effective information technology
3 responses to threats to the agency's information security; and

4 (4) subject to the approval of the chief information
5 officer of the agency to which the money is appropriated,
6 reimbursing the account for any money appropriated to the agency
7 that exceeds the amount of money needed by the agency for the
8 purposes described by Subdivisions (1)-(3).

9 (e) At the end of each state fiscal year, on the written
10 request of a state agency, the comptroller shall deposit to the
11 credit of the account the unexpended balance of any money
12 appropriated to the agency for that state fiscal year that is
13 budgeted by the agency for information technology services or
14 cybersecurity purposes.

15 (f) The comptroller shall separately account for the amount
16 of money deposited to the credit of the account at the request of
17 each state agency under Subsection (e). Money deposited to the
18 credit of the account under Subsection (e) and any interest and
19 other earnings on that money may be appropriated only to the state
20 agency for which the comptroller deposited the money to the account
21 and may be used by the agency only for a purpose described by
22 Subsection (d).

23 (g) Any money deposited to the credit of the account at the
24 request of a state agency under Subsection (e) that is not
25 appropriated to the agency within two years from the date the money
26 is deposited is no longer dedicated for the purposes described by
27 Subsection (d), and the comptroller shall make that money available

1 in the general revenue fund to be used in accordance with
2 legislative appropriation.

3 (h) A state agency that receives an appropriation from the
4 account may collaborate with one or more other state agencies that
5 receive such an appropriation to purchase information technology
6 systems that may be shared between the agencies.

7 (i) The comptroller may adopt rules to implement and
8 administer this section.

9 SECTION 2. This Act takes effect September 1, 2019.