

AN ACT

relating to cloud compatibility of certain state agency information technology purchases.

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

SECTION 1. The heading to Section 2157.007, Government Code, is amended to read as follows:

Sec. 2157.007. [~~CONSIDERATION OF~~] CLOUD COMPUTING SERVICE [~~PURCHASE~~].

SECTION 2. Section 2157.007, Government Code, is amended by amending Subsections (a) and (b) and adding Subsections (b-1) and (b-2) to read as follows:

(a) In this section:

(1) "Cloud computing service" has the meaning assigned by Special Publication 800-145 issued by the United States Department of Commerce National Institute of Standards and Technology, as the definition existed on January 1, 2015.

(2) "Major information resources project" has the meaning assigned by Section 2054.003.

(b) Except as provided by Subsection (b-1), a [A] state agency shall ensure [~~consider cloud computing service options, including any security benefits and cost savings associated with purchasing those service options from a cloud computing service provider and from a statewide technology center established by the department~~], when making purchases for an automated information

1 system or a major information resources project, that the system or
2 project is capable of being deployed and run on cloud computing
3 services [under Section 2054.118].

4 (b-1) When making a purchase for an automated information
5 system or a major information resources project, a state agency may
6 determine that, due to integration limitations with legacy systems,
7 security risks, or costs, the agency is unable to purchase a system
8 or project capable of being deployed and run on cloud computing
9 services.

10 (b-2) At least 14 days before the date a state agency
11 solicits bids, proposals, offers, or other applicable expressions
12 of interest for a purchase described by Subsection (b-1), the
13 agency shall submit to the Legislative Budget Board for the
14 purchase of an automated information system or to the quality
15 assurance team as defined by Section 2054.003 for the purchase of a
16 major information resources project a report that describes the
17 purchase and the agency's reasoning for making the purchase.

18 SECTION 3. Section 2157.007, Government Code, as amended by
19 this Act, applies only with respect to a purchase made by a state
20 agency on or after the effective date of this Act. A purchase made
21 before the effective date of this Act is governed by the law in
22 effect on the date the purchase was made, and the former law is
23 continued in effect for that purpose.

24 SECTION 4. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 3875 was passed by the House on April 26, 2019, by the following vote: Yeas 139, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3875 on May 24, 2019, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3875 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor