

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 14, 2019

TO: Honorable Dade Phelan, Chair, House Committee on State Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1784** by Capriglione (relating to management and storage of state records and information.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1784, Committee Report 1st House, Substituted: a negative impact of (\$164,218) through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	(\$84,609)
2021	(\$79,609)
2022	(\$81,997)
2023	(\$81,997)
2024	(\$81,997)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund	Change in Number of State Employees from FY 2019
	1	
2020	(\$84,609)	1.0
2021	(\$79,609)	1.0
2022	(\$81,997)	1.0
2023	(\$81,997)	1.0
2024	(\$81,997)	1.0

Fiscal Analysis

The bill would amend the Government Code to require the director and librarian of the Texas State Library and Archives Commission (TSLAC) to employ a state information governance coordinator

and detail the responsibilities of the coordinator. The bill would also amend the Government Code to require TSLAC to collaborate with the Department of Information Resources (DIR) to develop a strategy for state agencies to transfer appropriate archival records to TSLAC for inclusion in a digital repository.

The bill would amend Government Code provisions impacting the management and storage of state records and information for all state agencies. This includes requiring training for new employees and annually for existing employees on the agency's records management program, requiring an agency to classify and determine the appropriate security and retention requirements for data produced from or used in a project, and requiring each agency with more than 150.0 full-time-equivalent (FTE) positions to designate an employee to serve as the agency's data management officer.

Methodology

According to TSLAC, the agency would need to hire an additional 1.0 FTE (Program Specialist IV) to accomplish the provisions of the bill related to establishing a state information governance coordinator, to assist state agencies in the implementation and adherence to their records management programs. The ongoing position is estimated to initially cost \$59,000 plus benefits per year in General Revenue Funds within the 2020-21 biennium, as well as require \$5,000 in one-time equipment costs in fiscal year 2020. TSLAC may also need to purchase additional data storage from the State Data Center related to the storage of electronic records, however, the agency assumes these costs could be absorbed within existing resources.

According to DIR, the Office of the Attorney General, Health and Human Services Commission, Texas Medical Board, the Real Estate Commission, and Department of Public Safety, the bill would have no significant fiscal impact to agency operations and could be accomplished within existing resources. This analysis assumes any costs to the Secretary of State could also be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 306 Library & Archives Commission, 313 Department of Information Resources, 302 Office of the Attorney General, 307 Secretary of State, 329 Real Estate Commission, 405 Department of Public Safety, 503 Texas Medical Board, 529 Health and Human Services Commission

LBB Staff: WP, LLo, CMa, JQ, PM, LCO