

SENATE AMENDMENTS

2nd Printing

By: Capriglione

H.B. No. 3875

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

9 SECTION 2. Section 2157.007(b), Government Code, is amended
10 to read as follows:

11 (b) A state agency shall ensure [~~consider cloud computing~~
12 ~~service options, including any security benefits and cost savings~~
13 ~~associated with purchasing those service options from a cloud~~
14 ~~computing service provider and from a statewide technology center~~
15 ~~established by the department~~], when making purchases for an
16 automated information system or a major information resources
17 project under Section 2054.118, that the system or project is
18 capable of being deployed and run on cloud computing services.

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

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

ADOPTED

MAY 22 2019

By: 2

Leta J. Spaw
Secretary of the Senate

H.B. No. 3675

Substitute the following for ___B. No. ___:

By: Zaffin

C.S. ___B. No. ___

A BILL TO BE ENTITLED

AN ACT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

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

IN RE: HB3875 by Capriglione (Relating to cloud compatibility of certain state agency information technology purchases.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2157 of the Government Code, relating to cloud compatibility of certain state agency information technology purchases.

The bill changes existing statute to require, rather than recommend, that new information system purchases under Section 2054.118 of the Government Code be capable of cloud computing implementation, minus certain exemptions. If the agency utilizes an exemption, the agency must submit a report to the Legislative Budget Board or quality assurance team at least 14 days prior to the initial solicitation.

The Department of Information Resources and Comptroller of Public Accounts have indicated there would be no significant fiscal impact.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 313 Department of Information Resources

LBB Staff: WP, SD, CW, CLo, CMa, JPU, RC

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 18, 2019

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

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

IN RE: **HB3875** by Capriglione (Relating to cloud compatibility of certain state agency information technology purchases.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2157 of the Government Code, relating to cloud compatibility of certain state agency information technology purchases.

The bill changes existing statute to require, rather than recommend, that new information system purchases under Section 2054.118 of the Government Code be capable of cloud computing implementation, minus certain exemptions. If the agency utilizes an exemption, the agency must submit a report to the Legislative Budget Board or quality assurance team at least 14 days prior to the initial solicitation.

The Department of Information Resources and Comptroller of Public Accounts have indicated there would be no significant fiscal impact.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 313 Department of Information Resources

LBB Staff: WP, CW, CLo, CMa, JPU, RC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 2, 2019

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

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

IN RE: **HB3875** by Capriglione (Relating to cloud compatibility of certain state agency information technology purchases.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2157 of the Government Code, relating to cloud compatibility of certain state agency information technology purchases.

The bill changes existing statute to require, rather than recommend, that new information system purchases under Section 2054.118 of the Government Code be capable of cloud computing implementation.

The Department of Information Resources and Comptroller of Public Accounts have indicated there would be no significant fiscal impact.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 313 Department of Information Resources

LBB Staff: WP, CLo, CMa, JPU, CW, RC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 31, 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: HB3875 by Capriglione (Relating to cloud compatibility of certain state agency information technology purchases.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 2157 of the Government Code, relating to cloud compatibility of certain state agency information technology purchases.

The bill changes existing statute to require, rather than recommend, that new information system purchases under Section 2054.118 of the Government Code be capable of cloud computing implementation.

The Department of Information Resources and Comptroller of Public Accounts have indicated there would be no significant fiscal impact.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 313 Department of Information Resources

LBB Staff: WP, CMa, JPU, CW, RC