

SENATE AMENDMENTS
2nd Printing

By: Bell of Kaufman, Canales, Hull, Kitzman, H.B. No. 1500
Shaheen

A BILL TO BE ENTITLED

AN ACT

relating to the continuation and functions of the Department of Information Resources, including the composition of the governing body of the department.

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

SECTION 1. Subchapter C, Chapter 656, Government Code, is amended by adding Sections 656.0505 and 656.0506 to read as follows:

Sec. 656.0505. VOLUNTARY CERTIFICATION COURSE ON PROCUREMENT OF INFORMATION RESOURCES TECHNOLOGIES. (a) In this section:

(1) "Department" means the Department of Information Resources.

(2) "Information resources technologies" has the meaning assigned by Section 2054.003.

(b) In coordination with the comptroller, the department shall develop and implement a certification course on the procurement of information resources technologies and make the course available to a person who:

(1) holds a purchasing certification issued under Section 656.051;

(2) holds a contract management certification issued under Section 656.052; or

(3) holds both certifications described by

1 Subdivisions (1) and (2).

2 (c) The department shall provide the course at least
3 quarterly and must provide the course in person.

4 (d) The department shall certify a state agency employee who
5 successfully completes the course.

6 (e) Successful completion of the course may be credited
7 toward any continuing education requirements for maintaining a
8 certification under Section 656.051 or 656.052, or both.

9 Sec. 656.0506. TRAINING ON PURCHASES OF INFORMATION
10 RESOURCES TECHNOLOGIES FOR CERTAIN STATE AGENCY OFFICERS AND
11 EMPLOYEES. (a) In this section:

12 (1) "Department" means the Department of Information
13 Resources.

14 (2) "Information resources technologies" has the
15 meaning assigned by Section 2054.003.

16 (b) The department shall develop and provide annual
17 training for persons who serve in upper management positions at
18 state agencies, including elected or appointed state officers and
19 executive heads of state agencies on best practices and
20 methodologies for purchasing information resources technologies.

21 (c) The department shall include in the training provided
22 under Subsection (b) information the department covers in the
23 certification programs established by Sections 656.051 and 656.052
24 that is related to the purchase of information resources
25 technologies. The department may include additional topics in the
26 training.

27 (d) The department may not require a person described by

1 Subsection (b) to participate in the training.

2 SECTION 2. Section 2054.003(13), Government Code, is
3 amended to read as follows:

4 (13) "State agency" means, except as otherwise
5 provided by this chapter, a department, commission, board, office,
6 council, authority, or other agency in the executive or judicial
7 branch of state government that is created by the constitution or a
8 statute of this state, including a university system or institution
9 of higher education as defined by Section 61.003, Education Code.

10 SECTION 3. Section 2054.005, Government Code, is amended to
11 read as follows:

12 Sec. 2054.005. SUNSET PROVISION. ~~[(a)]~~ The Department of
13 Information Resources is subject to Chapter 325 (Texas Sunset Act).
14 Unless continued in existence as provided by that chapter, the
15 department is abolished ~~[and this chapter expires]~~ September 1,
16 2037 ~~[2025]~~.

17 SECTION 4. Section 2054.021, Government Code, is amended by
18 amending Subsections (a), (c), (f), (g), and (h) and adding
19 Subsections (a-1), (c-1), (c-2), and (i) to read as follows:

20 (a) For purposes of this section, "state agency" has the
21 meaning assigned by Section 2054.003 but does not include a
22 department, commission, board, office, council, authority, or
23 other agency in the judicial branch of state government.

24 (a-1) The department is governed by a board composed of 11
25 members as follows:

26 (1) seven voting members appointed by the governor
27 with the advice and consent of the senate; and

1 (2) four nonvoting members as provided by Subsection
2 (c). ~~[One member must be employed by an institution of higher~~
3 ~~education as defined by Section 61.003, Education Code.]~~

4 (c) The governor shall appoint the four nonvoting members of
5 the board as follows:

6 (1) one member who is an employee of an institution of
7 higher education, as defined by Section 61.003, Education Code;

8 (2) two members who are employees of state agencies
9 that are on the list provided under Subsection (c-1); and

10 (3) one member who is an employee of a state agency
11 with fewer than 500 full-time employees.

12 (c-1) Not later than December 1 of each even-numbered year,
13 the department shall provide the governor a list of the 10 state
14 agencies that spent the most money on products and services of the
15 department during the previous state fiscal year.

16 (c-2) A nonvoting member of the board serves for a two-year
17 term that expires February 1 of each odd-numbered year. ~~[Two groups~~
18 ~~each composed of three ex officio members serve on the board on a~~
19 ~~rotating basis. The ex officio members serve as nonvoting members~~
20 ~~of the board. Only one group serves at a time. The first group is~~
21 ~~composed of the commissioner of insurance, the executive~~
22 ~~commissioner of the Health and Human Services Commission, and the~~
23 ~~executive director of the Texas Department of Transportation.~~
24 ~~Members of the first group serve for two-year terms that begin~~
25 ~~February 1 of every other odd-numbered year and that expire on~~
26 ~~February 1 of the next odd-numbered year. The second group is~~
27 ~~composed of the commissioner of education, the executive director~~

~~of the Texas Department of Criminal Justice, and the executive director of the Parks and Wildlife Department. Members of the second group serve for two-year terms that begin February 1 of the odd-numbered years in which the terms of members of the first group expire and that expire on February 1 of the next odd-numbered year.]~~

(f) A [To be eligible to take office or serve as a voting or nonvoting member of the board, a] person who is appointed to and qualifies for office as a member of the board may not vote, deliberate, or be counted as a member in attendance at a meeting of the board until the person:

(1) completes [appointed to or scheduled to serve as an ex officio member of the board must complete at least one course of] a training program that complies with Subsection (g); and

(2) signs and submits to the executive director a statement acknowledging that the member completed the training program and the training required under Section 656.053 [this section]. [A voting or nonvoting board member must complete a training program that complies with Subsection (g) not later than the 180th day after the date on which the person takes office or begins serving as a member of the board.]

(g) The training program must provide the person with information ~~[to the person]~~ regarding:

(1) the law governing department operations [this chapter] and the board to which the person is appointed to serve;

(2) the programs, functions, rules, and budget of [operated by] the department;

(3) the scope of and limitations on the rulemaking

1 authority of the department ~~[the role and functions of the~~
2 ~~department]~~;

3 (4) the results of the most recent formal audit of the
4 department ~~[rules of the department, with an emphasis on the rules~~
5 ~~that relate to disciplinary and investigatory authority]~~;

6 (5) the requirements of:

7 (A) laws relating to open meetings, public
8 information, administrative procedure, and disclosing conflicts of
9 interest; and

10 (B) other laws applicable to members of a state
11 policy-making body in performing their duties ~~[current budget for~~
12 ~~the department]~~;

13 ~~(6) [the results of the most recent formal audit of the~~
14 ~~department,~~

15 ~~[(7) the requirements of the:~~

16 ~~[(A) open meetings law, Chapter 551,~~

17 ~~[(B) open records law, Chapter 552, and~~

18 ~~[(C) administrative procedure law, Chapter 2001,~~

19 ~~[(8) the requirements of the conflict of interest laws~~
20 ~~and other laws relating to public officials,~~

21 ~~[(9)]~~ any applicable ethics policies adopted by the
22 department or the Texas Ethics Commission; and

23 (7) ~~[(10)]~~ contract management training.

24 (h) A person appointed to the board is entitled to
25 reimbursement, as provided by the General Appropriations Act, for
26 travel expenses incurred in attending the training program,
27 regardless of whether the attendance at the program occurs before

1 or after the person qualifies for office ~~[as provided by the General~~
2 ~~Appropriations Act and as if the person were a member of the board]~~.

3 (i) The executive director shall create a training manual
4 that includes the information required by Subsection (g). The
5 executive director shall distribute a copy of the training manual
6 annually to each member of the board. Each member of the board
7 shall sign and submit to the executive director a statement
8 acknowledging that the member received and has reviewed the
9 training manual.

10 SECTION 5. Section 2054.024(c), Government Code, is amended
11 to read as follows:

12 (c) If the final result of an action brought in a court of
13 competent jurisdiction is that a board ~~[an ex officio or other]~~
14 member ~~[of the board]~~ may not serve on the board under the Texas
15 Constitution, the ~~[appropriate individual shall promptly submit a~~
16 ~~list to the]~~ governor shall appoint ~~[for the appointment of]~~ a
17 replacement who may serve.

18 SECTION 6. The heading to Section 2054.033, Government
19 Code, is amended to read as follows:

20 Sec. 2054.033. ESTABLISHMENT OF ADVISORY COMMITTEES;
21 ADMINISTRATION AND REQUIREMENTS.

22 SECTION 7. Section 2054.033, Government Code, is amended by
23 amending Subsection (a) and adding Subsections (e), (f), and (g) to
24 read as follows:

25 (a) The board and the executive director, if authorized by
26 the board, by rule may establish ~~[appoint]~~ advisory committees as
27 the department considers necessary to provide expertise to the

1 department.

2 (e) With respect to an advisory committee whose
3 jurisdiction covers a service provided by the department to state
4 agencies, in appointing members to the advisory committee the board
5 shall:

6 (1) to the extent practicable, ensure that the
7 advisory committee is composed of a cross-section of the
8 department's customers who use the service; and

9 (2) appoint, in addition to the member required by
10 Subsection (d), at least one member who is an employee of a state
11 agency with 500 or fewer full-time employees.

12 (f) The board shall adopt rules to govern each advisory
13 committee of the department. The rules must include:

14 (1) the purpose, role, goals, composition, and
15 duration of the advisory committee;

16 (2) as to the advisory committee members:

17 (A) the appointment procedures, terms, and
18 quorum requirements;

19 (B) conflict-of-interest policies; and

20 (C) as advisable, member qualifications or
21 training requirements;

22 (3) as appropriate, a method the department must use
23 to receive public input on issues considered by the advisory
24 committee; and

25 (4) as appropriate, a method for sharing findings and
26 information of the advisory committee with the public and the
27 board.

1 (g) Except as otherwise provided by this chapter, an
2 advisory committee of the department is subject to Chapter 2110.

3 SECTION 8. Subchapter B, Chapter 2054, Government Code, is
4 amended by adding Sections 2054.0333, 2054.0335, and 2054.0337 to
5 read as follows:

6 Sec. 2054.0333. ADVISORY COMMITTEES ON DEPARTMENT
7 FUNCTIONS REQUIRED. The board by rule shall establish advisory
8 committees under Section 2054.033 that advise the board on
9 governing the department and cover in subject matter the
10 department's primary functions, including at least one advisory
11 committee for each of the following subjects:

- 12 (1) procurement under Subchapter B, Chapter 2157;
13 (2) the development and implementation of information
14 security programs; and
15 (3) the preparation of the state strategic plan
16 required by Section 2054.091.

17 Sec. 2054.0335. STATEWIDE INFORMATION SECURITY ADVISORY
18 COMMITTEE. (a) The board by rule shall establish an advisory
19 committee under Section 2054.033 to make recommendations to the
20 department on improving the effectiveness of the department's and
21 this state's information security operations.

22 (b) The advisory committee must include members who are
23 information security professionals employed by state agencies and
24 local governments.

25 (c) The presiding officer of the advisory committee is the
26 chief information security officer under Section 2054.510.

27 Sec. 2054.0337. CUSTOMER ADVISORY COMMITTEE. (a) The

1 board by rule shall establish an advisory committee under Section
2 2054.033 to report to and advise the board on improving the
3 effectiveness and efficiency of services provided by the department
4 to customers.

5 (b) The board shall appoint advisory committee members who
6 are employees of state agencies that:

7 (1) use the department's services; and

8 (2) have 500 or fewer full-time employees, including
9 at least three members who are employees of state agencies that have
10 150 or fewer full-time employees.

11 SECTION 9. Section 2054.035(b), Government Code, is amended
12 to read as follows:

13 (b) The department shall prepare information of public
14 interest describing the functions of the department ~~[and the~~
15 ~~procedures by which complaints are filed with and resolved by the~~
16 ~~department]~~. The department shall make the information available
17 to the public and appropriate state agencies.

18 SECTION 10. Section 2054.036, Government Code, is amended
19 to read as follows:

20 Sec. 2054.036. COMPLAINTS. (a) The department shall
21 maintain a system to promptly and efficiently act on complaints
22 filed with the department. The department shall maintain
23 information about parties to the complaint, the subject matter of
24 the complaint, and a summary of the results of the review or
25 investigation of the complaint, and its disposition. ~~[keep a file~~
26 ~~about each written complaint filed with the department that the~~
27 ~~department has authority to resolve. The department shall provide~~

1 ~~to the person filing the complaint and the persons or entities~~
2 ~~complained about the department's policies and procedures~~
3 ~~pertaining to complaint investigation and resolution. The~~
4 ~~department, at least quarterly and until final disposition of the~~
5 ~~complaint, shall notify the person filing the complaint and the~~
6 ~~persons or entities complained about of the status of the complaint~~
7 ~~unless the notice would jeopardize an undercover investigation.]~~

8 (b) The department shall make information available
9 describing its procedures for complaint investigation and
10 resolution [~~keep information about each complaint filed with the~~
11 ~~department]. [~~The information shall include:~~~~

12 [~~(1) the date the complaint is received,~~
13 [~~(2) the name of the complainant,~~
14 [~~(3) the subject matter of the complaint,~~
15 [~~(4) a record of all persons contacted in relation to~~
16 ~~the complaint,~~

17 [~~(5) a summary of the results of the review or~~
18 ~~investigation of the complaint, and~~

19 [~~(6) for complaints for which the department took no~~
20 ~~action, an explanation of the reason the complaint was closed~~
21 ~~without action.]~~

22 (c) The department shall periodically notify the complaint
23 parties of the status of the complaint until final disposition
24 unless the notice would jeopardize an ongoing investigation.

25 SECTION 11. Sections 2054.055(b) and (b-2), Government
26 Code, are amended to read as follows:

27 (b) The report must:

1 (1) assess the progress made toward meeting the goals
2 and objectives of the state strategic plan for information
3 resources management;

4 (2) describe major accomplishments of the state or a
5 specific state agency in information resources management;

6 (3) describe major problems in information resources
7 management confronting the state or a specific state agency;

8 (4) provide a summary of the total expenditures for
9 information resources and information resources technologies by
10 the state;

11 (5) make recommendations for improving the
12 effectiveness and cost-efficiency of the state's use of information
13 resources;

14 (6) describe the status, progress, benefits, and
15 efficiency gains of the state electronic Internet portal project,
16 including any significant issues regarding contract performance;

17 (7) provide a financial summary of the state
18 electronic Internet portal project, including project costs and
19 revenues;

20 (8) ~~[provide a summary of the amount and use of~~
21 ~~Internet-based training conducted by each state agency and~~
22 ~~institution of higher education;~~

23 ~~[(9)]~~ provide a summary of agency and statewide
24 results in providing access to electronic and information resources
25 to individuals with disabilities as required by Subchapter M;

26 (9) ~~[(10)]~~ assess the progress made toward
27 accomplishing the goals of the plan for a state telecommunications

1 network and developing a system of telecommunications services as
2 provided by Subchapter H; and

3 (10) [~~(11)~~] identify proposed major information
4 resources projects for the next state fiscal biennium, including
5 project costs through stages of the project and across state fiscal
6 years from project initiation to implementation.

7 (b-2) The information required under Subsection (b)(10)
8 [~~(b)(11)~~] must include:

9 (1) final total cost of ownership budget data for the
10 entire life cycle of the major information resources project,
11 including capital and operational costs that itemize staffing
12 costs, contracted services, hardware purchased or leased, software
13 purchased or leased, travel, and training;

14 (2) the original project schedule and the final actual
15 project schedule;

16 (3) data on the progress toward meeting the original
17 goals and performance measures of the project, specifically those
18 related to operating budget savings;

19 (4) lessons learned on the project, performance
20 evaluations of any vendors used in the project, and reasons for
21 project delays or cost increases; and

22 (5) the benefits, cost avoidance, and cost savings
23 generated by major technology resources projects.

24 SECTION 12. Subchapter C, Chapter 2054, Government Code, is
25 amended by adding Section 2054.057 to read as follows:

26 Sec. 2054.057. PROCUREMENT SERVICES PILOT PROGRAM. (a) In
27 this section:

1 (1) "Participating state agency" means a state agency
2 that the department has approved to participate in the pilot
3 program.

4 (2) "Pilot program" means the procurement services
5 pilot program established under this section.

6 (3) "State agency" means a board, commission, office,
7 department, or other agency in the executive, judicial, or
8 legislative branch of state government. The term does not include
9 an institution of higher education, as defined by Section 61.003,
10 Education Code.

11 (b) The department shall establish a pilot program under
12 which the department provides assistance in the procurement of
13 information resources technologies on request by a participating
14 state agency.

15 (c) A state agency may participate in the pilot program only
16 if the department approves of the participation in writing.

17 (d) The department may limit the:

18 (1) number of participating state agencies in the
19 pilot program; and

20 (2) types of information resources technologies for
21 which procurement assistance is provided under the pilot program.

22 (e) Services under the pilot program may include assistance
23 with:

24 (1) procurement planning;

25 (2) developing a cost estimate for an information
26 resources technologies project; and

27 (3) drafting and developing a solicitation.

1 (f) With respect to any procurement assistance provided by
2 the department under the pilot program, the department:

3 (1) may not control the procurement for which the
4 assistance is provided or the management of any resulting contract;
5 and

6 (2) is not civilly liable for damages resulting from
7 the provision of procurement assistance unless the damages result
8 from intentional conduct or gross negligence.

9 (g) Not later than December 1, 2028, the department shall
10 submit a report to the legislature that includes a summary of the
11 pilot program's activities and a recommendation of whether to
12 continue or expand the program.

13 (h) This section expires January 1, 2029.

14 SECTION 13. Section 2054.075(b), Government Code, is
15 amended to read as follows:

16 (b) Each state agency information resources manager is part
17 of the agency's executive management and reports directly to the
18 executive head or deputy executive head of the agency. Each state
19 agency shall report to the department the extent and results of its
20 compliance with this subsection and include with the report an
21 organizational chart showing the structure of the personnel in the
22 agency's executive management. ~~[The department shall report the~~
23 ~~extent and results of state agencies' compliance with this~~
24 ~~subsection to the legislature.]~~

25 SECTION 14. Section 2054.097, Government Code, is amended
26 by adding Subsections (c), (d), and (e) to read as follows:

27 (c) Once every two years, the department shall conduct a

1 limited evaluation of the information resources deployment review
2 of at least five state agencies to verify the accuracy of those
3 reviews. The department may limit the evaluation to review
4 responses on subjects that represent the highest risks or greatest
5 opportunities for improvement regarding the state agency's
6 software, hardware, compliance, and cybersecurity.

7 (d) The department is not required to conduct site visits as
8 part of the limited evaluation required by Subsection (c).

9 (e) The department shall use information received from the
10 limited evaluation required by Subsection (c) to:

11 (1) update trainings for and outreach to information
12 resources managers on accurately completing the information
13 resources deployment review; and

14 (2) recommend information resources technology
15 solutions to state agencies as needed.

16 SECTION 15. Section 2054.2606(c), Government Code, is
17 amended to read as follows:

18 (c) A licensing entity that establishes a profile system
19 under this section shall determine the information to be included
20 in the system and the manner for collecting and reporting the
21 information. At a minimum, the entity shall include the following
22 information in the profile system:

23 (1) the name of the license holder and the address and
24 telephone number of the license holder's primary practice location;

25 (2) whether the license holder's patient, client,
26 user, customer, or consumer service areas, as applicable, are
27 accessible to ~~[disabled]~~ persons with disabilities, as defined by

1 federal law;

2 (3) the type of language translating services,
3 including translating services for a person who is deaf or hard
4 ~~[with impairment]~~ of hearing, that the license holder provides for
5 patients, clients, users, customers, or consumers, as applicable;

6 (4) if applicable, insurance information, including
7 whether the license holder participates in the state child health
8 plan under Chapter 62, Health and Safety Code, or the Medicaid
9 program;

10 (5) the education and training received by the license
11 holder, as required by the licensing entity;

12 (6) any specialty certification held by the license
13 holder;

14 (7) the number of years the person has practiced as a
15 license holder; and

16 (8) if applicable, any hospital affiliation of the
17 license holder.

18 SECTION 16. Section 2054.456(a), Government Code, is
19 amended to read as follows:

20 (a) Each state agency shall, in developing, procuring,
21 maintaining, or using electronic and information resources, ensure
22 that state employees with disabilities have access to and the use of
23 those resources comparable to the access and use available to state
24 employees without disabilities, unless compliance with this
25 section imposes a significant difficulty or expense on the agency
26 under Section 2054.460. Subject to Section 2054.460, the agency
27 shall take reasonable steps to ensure that an ~~[a disabled]~~ employee

1 with a disability has reasonable access to perform the employee's
2 duties.

3 SECTION 17. The heading to Section 2054.515, Government
4 Code, is amended to read as follows:

5 Sec. 2054.515. AGENCY DATA GOVERNANCE [~~INFORMATION~~
6 ~~SECURITY~~] ASSESSMENT AND REPORT.

7 SECTION 18. Section 2054.515, Government Code, is amended
8 by amending Subsections (a), (c), and (d) and adding Subsection
9 (a-1) to read as follows:

10 (a) At least once every two years, each state agency shall
11 conduct an [~~information security~~] assessment of the agency's[+]

12 [~~(1) information resources systems, network systems,~~
13 ~~digital data storage systems, digital data security measures, and~~
14 ~~information resources vulnerabilities; and~~

15 [~~(2)~~] data governance program with participation from
16 the agency's data management officer, if applicable, and in
17 accordance with requirements established by department rule.

18 (a-1) Not later than June 1 of each even-numbered year, each
19 state agency shall report the results of the assessment conducted
20 under Subsection (a) to:

21 (1) the department; and

22 (2) on request, the governor, the lieutenant governor,
23 and the speaker of the house of representatives.

24 (c) The department by rule shall establish the requirements
25 for the [~~information security~~] assessment and report required by
26 this section.

27 (d) The report and all documentation related to the

~~[information security]~~ assessment and report are confidential and not subject to disclosure under Chapter 552. The state agency or department may redact or withhold the information as confidential under Chapter 552 without requesting a decision from the attorney general under Subchapter G, Chapter 552.

SECTION 19. Sections 2054.5191(a), (a-1), and (a-2), Government Code, are amended to read as follows:

(a) At least once each year, each employee of a ~~[Each]~~ state agency ~~[shall identify state employees who use a computer to complete at least 25 percent of the employee's required duties. At least once each year, an employee identified by the state agency]~~ and each elected or appointed officer of the agency shall complete a cybersecurity training program certified under Section 2054.519.

(a-1) At least once each year, each employee and each elected or appointed official of a local government shall~~[-~~

~~[(1) identify local government employees and elected and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of the employee's or official's required duties; and~~

~~[(2) require the employees and officials identified under Subdivision (1) to]~~ complete a cybersecurity training program certified under Section 2054.519.

(a-2) The governing body of a local government or the governing body's designee may deny access to the local government's computer system or database to an employee or official of the local government ~~[an individual described by Subsection (a-1)(1)]~~ who the governing body or the governing body's designee determines is

noncompliant with the requirements of Subsection (a-1) [~~(a-1)(2)~~].

SECTION 20. Subchapter N-1, Chapter 2054, Government Code, is amended by adding Section 2054.5195 to read as follows:

Sec. 2054.5195. INFORMATION SECURITY ASSESSMENT AND PENETRATION TEST REQUIRED. (a) This section does not apply to a university system or institution of higher education as defined by Section 61.003, Education Code.

(b) At least once every two years, the department shall require each state agency to complete an information security assessment and a penetration test to be performed by the department or, at the department's discretion, a vendor selected by the department.

(c) The department shall establish rules as necessary to implement this section, including rules for the procurement of a vendor under Subsection (b).

SECTION 21. The following provisions of the Government Code are repealed:

(1) Section 2054.021(d);

(2) Section 2054.023(c);

(3) Section 2054.0331;

(4) Section 2054.091(d);

(5) Section 2054.0925(c);

(6) Section 2054.515(b), as amended by Chapter 567 (S.B. 475), Acts of the 87th Legislature, Regular Session, 2021; and

(7) Section 2054.515(b), as amended by Chapter 856 (S.B. 800), Acts of the 87th Legislature, Regular Session, 2021.

1 SECTION 22. (a) In this section, "institution of higher
2 education" has the meaning assigned by Section 61.003, Education
3 Code.

4 (b) As soon as possible after the effective date of this
5 Act, as the terms of members of the governing board of the
6 Department of Information Resources expire or as vacancies occur,
7 the governor shall appoint members to the board so that the board is
8 composed in accordance with Section 2054.021, Government Code, as
9 amended by this Act, except that the term of the member of the board
10 serving on the board immediately before the effective date of this
11 Act who holds the position of the member who is employed by an
12 institution of higher education expires on that date. A member of
13 the governing board whose term expires under this subsection is
14 eligible for reappointment under Subsection (c) of this section.

15 (c) Not later than December 1, 2025, the governor shall
16 appoint the following members to the governing board of the
17 Department of Information Resources in accordance with Section
18 2054.021, Government Code, as amended by this Act:

19 (1) one voting member to serve a term that expires
20 February 1, 2031; and

21 (2) one nonvoting member to the position of the member
22 who is employed by an institution of higher education to serve a
23 term that expires February 1, 2027.

24 SECTION 23. (a) Except as provided by Subsection (b) of
25 this section, Section 2054.021(f), Government Code, as amended by
26 this Act, applies to a member of the governing board of the
27 Department of Information Resources appointed before, on, or after

1 the effective date of this Act.

2 (b) A member of the governing board of the Department of
3 Information Resources who, before the effective date of this Act,
4 completed the training program required by Section 2054.021(f),
5 Government Code, and described in Section 2054.021(g), Government
6 Code, as that law existed before the effective date of this Act, is
7 only required to complete additional training on the subjects added
8 by this Act to the training program described by Section
9 2054.021(g), Government Code. A member described by this
10 subsection may not vote, deliberate, or be counted as a member in
11 attendance at a meeting of the board held on or after December 1,
12 2025, until the member completes the additional training.

13 SECTION 24. This Act takes effect September 1, 2025.

ADOPTED

MAY 26 2025

Latey Law
Secretary of the Senate

By: Tan Parker

H.B. No. 1500

Substitute the following for H.B. No. 1500:

By: Phil King

C.S.H.B. No. 1500

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the continuation and functions of the Department of
3 Information Resources, including the composition of the governing
4 body of the department and, in collaboration with the comptroller,
5 the administration of state assistance opportunities.

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

7 SECTION 1. Subchapter C, Chapter 656, Government Code, is
8 amended by adding Sections 656.0505 and 656.0506 to read as
9 follows:

10 Sec. 656.0505. VOLUNTARY CERTIFICATION COURSE ON
11 PROCUREMENT OF INFORMATION RESOURCES TECHNOLOGIES. (a) In this
12 section:

13 (1) "Department" means the Department of Information
14 Resources.

15 (2) "Information resources technologies" has the
16 meaning assigned by Section 2054.003.

17 (b) In coordination with the comptroller, the department
18 shall develop and implement a certification course on the
19 procurement of information resources technologies and make the
20 course available to a person who:

21 (1) holds a purchasing certification issued under
22 Section 656.051;

23 (2) holds a contract management certification issued
24 under Section 656.052; or

(3) holds both certifications described by Subdivisions (1) and (2).

(c) The department shall provide the course at least quarterly and must provide the course in person.

(d) The department shall certify a state agency employee who successfully completes the course.

(e) Successful completion of the course may be credited toward any continuing education requirements for maintaining a certification under Section 656.051 or 656.052, or both.

Sec. 656.0506. TRAINING ON PURCHASES OF INFORMATION RESOURCES TECHNOLOGIES FOR CERTAIN STATE AGENCY OFFICERS AND EMPLOYEES. (a) In this section:

(1) "Department" means the Department of Information Resources.

(2) "Information resources technologies" has the meaning assigned by Section 2054.003.

(b) The department shall develop and provide annual training for persons who serve in upper management positions at state agencies, including elected or appointed state officers and executive heads of state agencies on best practices and methodologies for purchasing information resources technologies.

(c) The department shall include in the training provided under Subsection (b) information the department covers in the certification programs established by Sections 656.051 and 656.052 that is related to the purchase of information resources technologies. The department may include additional topics in the training.

1 (d) The department may not require a person described by
2 Subsection (b) to participate in the training.

3 SECTION 2. Chapter 783, Government Code, is amended by
4 designating Sections 783.001 through 783.010, Government Code, as
5 Subchapter A and adding a subchapter heading to read as follows:

6 SUBCHAPTER A. GENERAL PROVISIONS

7 SECTION 3. Chapter 783, Government Code, is amended by
8 adding Subchapter B to read as follows:

9 SUBCHAPTER B. STATE ASSISTANCE OPPORTUNITIES

10 Sec. 783.051. DEFINITIONS. In this subchapter:

11 (1) "Health and human services agency" means:

12 (A) the Department of Family and Protective
13 Services;

14 (B) the Department of State Health Services; and

15 (C) the Health and Human Services Commission.

16 (2) "Institution of higher education" and "university
17 system" have the meanings assigned by Section 61.003, Education
18 Code.

19 (3) "State agency" has the meaning assigned by Section
20 2054.003, except that the term does not include:

21 (A) an institution of higher education or a
22 university system; or

23 (B) a health and human services agency.

24 (4) "State assistance" includes a grant, contract,
25 loan, loan guarantee, cooperative agreement, direct appropriation,
26 property, or another method of disbursement awarded by a state
27 agency.

1 Sec. 783.052. STATE ASSISTANCE OPPORTUNITY ADVERTISEMENT.

2 (a) The comptroller, in coordination with the Department of
3 Information Resources, shall develop an electronic advertising
4 system to post a state assistance opportunity on the electronic
5 state business daily in a manner that:

6 (1) provides a single location for all state agencies
7 to post electronic summaries of state assistance opportunities;

8 (2) provides a standard format for announcing a state
9 assistance opportunity; and

10 (3) enables a person to search for a state assistance
11 opportunity provided by a state agency.

12 (b) Subject to Chapter 2157, an institution of higher
13 education, a university system, or a health and human services
14 agency may elect to post state assistance opportunity
15 advertisements in the same manner as a state agency under this
16 section.

17 SECTION 4. Section 2155.083(c), Government Code, is amended
18 to read as follows:

19 (c) The comptroller shall operate the electronic state
20 business daily for state agencies and other eligible entities to
21 advertise pre-solicitation notices, solicitations, ~~and~~ contract
22 awards, and grants.

23 SECTION 5. Section 2054.003(13), Government Code, is
24 amended to read as follows:

25 (13) "State agency" means, except as otherwise
26 provided by this chapter, a department, commission, board, office,
27 council, authority, or other agency in the executive or judicial

1 branch of state government that is created by the constitution or a
2 statute of this state, including a university system or institution
3 of higher education as defined by Section 61.003, Education Code.

4 SECTION 6. Section 2054.005, Government Code, is amended to
5 read as follows:

6 Sec. 2054.005. SUNSET PROVISION. [~~(a)~~] The Department of
7 Information Resources is subject to Chapter 325 (Texas Sunset Act).
8 Unless continued in existence as provided by that chapter, the
9 department is abolished [~~and this chapter expires~~] September 1,
10 2037 [~~2025~~].

11 SECTION 7. Section 2054.021, Government Code, is amended by
12 amending Subsections (a), (c), (f), (g), and (h) and adding
13 Subsections (a-1), (c-1), (c-2), and (i) to read as follows:

14 (a) For purposes of this section, "state agency" has the
15 meaning assigned by Section 2054.003 but does not include:

16 (1) a department, commission, board, office, council,
17 authority, or other agency in the judicial branch of state
18 government; or

19 (2) an institution of higher education or a university
20 system, as those terms are defined by Section 61.003, Education
21 Code.

22 (a-1) The department is governed by a board composed of 11
23 members as follows:

24 (1) seven voting members appointed by the governor
25 with the advice and consent of the senate; and

26 (2) four nonvoting members as provided by Subsection
27 (c). [~~One member must be employed by an institution of higher~~

~~education as defined by Section 61.003, Education Code.]~~

(c) The governor shall appoint the four nonvoting members of the board as follows:

(1) one member who is an employee of an institution of higher education, as defined by Section 61.003, Education Code;

(2) two members who are employees of state agencies that are on the list provided under Subsection (c-1); and

(3) one member who is an employee of a state agency with fewer than 500 full-time employees.

(c-1) Not later than December 1 of each even-numbered year, the department shall provide the governor a list of the 10 state agencies that spent the most money on products and services of the department during the previous state fiscal year.

(c-2) A nonvoting member of the board serves for a two-year term that expires February 1 of each odd-numbered year. ~~[Two groups each composed of three ex officio members serve on the board on a rotating basis. The ex officio members serve as nonvoting members of the board. Only one group serves at a time. The first group is composed of the commissioner of insurance, the executive commissioner of the Health and Human Services Commission, and the executive director of the Texas Department of Transportation. Members of the first group serve for two-year terms that begin February 1 of every other odd-numbered year and that expire on February 1 of the next odd-numbered year. The second group is composed of the commissioner of education, the executive director of the Texas Department of Criminal Justice, and the executive director of the Parks and Wildlife Department. Members of the~~

1 ~~second group serve for two-year terms that begin February 1 of the~~
2 ~~odd-numbered years in which the terms of members of the first group~~
3 ~~expire and that expire on February 1 of the next odd-numbered year.]~~

4 (f) A ~~[To be eligible to take office or serve as a voting or~~
5 ~~nonvoting member of the board, a]~~ person who is appointed to and
6 qualifies for office as a member of the board may not vote,
7 deliberate, or be counted as a member in attendance at a meeting of
8 the board until the person:

9 (1) completes ~~[appointed to or scheduled to serve as~~
10 ~~an ex officio member of the board must complete at least one course~~
11 ~~of]~~ a training program that complies with Subsection (g); and

12 (2) signs and submits to the executive director a
13 statement acknowledging that the member completed the training
14 program and the training required under Section 656.053 ~~[this~~
15 ~~section].~~ ~~[A voting or nonvoting board member must complete a~~
16 ~~training program that complies with Subsection (g) not later than~~
17 ~~the 180th day after the date on which the person takes office or~~
18 ~~begins serving as a member of the board.]~~

19 (g) The training program must provide the person with
20 information ~~[to the person]~~ regarding:

21 (1) the law governing department operations ~~[this~~
22 ~~chapter]~~ and the board to which the person is appointed to serve;

23 (2) the programs, functions, rules, and budget of
24 [operated by] the department;

25 (3) the scope of and limitations on the rulemaking
26 authority of the department ~~[the role and functions of the~~
27 ~~department];~~

1 (4) the results of the most recent formal audit of the
2 department [~~rules of the department, with an emphasis on the rules~~
3 ~~that relate to disciplinary and investigatory authority~~];

4 (5) the requirements of:

5 (A) laws relating to open meetings, public
6 information, administrative procedure, and disclosing conflicts of
7 interest; and

8 (B) other laws applicable to members of a state
9 policy-making body in performing their duties [~~current budget for~~
10 ~~the department~~];

11 (6) [~~the results of the most recent formal audit of the~~
12 ~~department,~~

13 [~~(7) the requirements of the:~~

14 [~~(A) open meetings law, Chapter 551,~~

15 [~~(B) open records law, Chapter 552, and~~

16 [~~(C) administrative procedure law, Chapter 2001,~~

17 [~~(8) the requirements of the conflict of interest laws~~
18 ~~and other laws relating to public officials,~~

19 [~~(9)~~] any applicable ethics policies adopted by the
20 department or the Texas Ethics Commission; and

21 (7) [~~(10)~~] contract management training.

22 (h) A person appointed to the board is entitled to
23 reimbursement, as provided by the General Appropriations Act, for
24 travel expenses incurred in attending the training program,
25 regardless of whether the attendance at the program occurs before
26 or after the person qualifies for office [~~as provided by the General~~
27 ~~Appropriations Act and as if the person were a member of the board~~].

1 (i) The executive director shall create a training manual
2 that includes the information required by Subsection (g). The
3 executive director shall distribute a copy of the training manual
4 annually to each member of the board. Each member of the board
5 shall sign and submit to the executive director a statement
6 acknowledging that the member received and has reviewed the
7 training manual.

8 SECTION 8. Section 2054.024(c), Government Code, is amended
9 to read as follows:

10 (c) If the final result of an action brought in a court of
11 competent jurisdiction is that a board ~~[an ex officio or other]~~
12 member ~~[of the board]~~ may not serve on the board under the Texas
13 Constitution, the ~~[appropriate individual shall promptly submit a~~
14 ~~list to the]~~ governor shall appoint ~~[for the appointment of]~~ a
15 replacement who may serve.

16 SECTION 9. The heading to Section 2054.033, Government
17 Code, is amended to read as follows:

18 Sec. 2054.033. ESTABLISHMENT OF ADVISORY COMMITTEES;
19 ADMINISTRATION AND REQUIREMENTS.

20 SECTION 10. Section 2054.033, Government Code, is amended
21 by amending Subsection (a) and adding Subsections (e), (f), and (g)
22 to read as follows:

23 (a) The board and the executive director, if authorized by
24 the board, by rule may establish ~~[appoint]~~ advisory committees as
25 the department considers necessary to provide expertise to the
26 department.

27 (e) With respect to an advisory committee whose

jurisdiction covers a service provided by the department to state agencies, in appointing members to the advisory committee the board shall:

(1) to the extent practicable, ensure that the advisory committee is composed of a cross-section of the department's customers who use the service; and

(2) appoint, in addition to the member required by Subsection (d), at least one member who is an employee of a state agency with 500 or fewer full-time employees.

(f) The board shall adopt rules to govern each advisory committee of the department. The rules must include:

(1) the purpose, role, goals, composition, and duration of the advisory committee;

(2) as to the advisory committee members:

(A) the appointment procedures, terms, and quorum requirements;

(B) conflict-of-interest policies; and

(C) as advisable, member qualifications or training requirements;

(3) as appropriate, a method the department must use to receive public input on issues considered by the advisory committee; and

(4) as appropriate, a method for sharing findings and information of the advisory committee with the public and the board.

(g) Except as otherwise provided by this chapter, an advisory committee of the department is subject to Chapter 2110.

1 SECTION 11. Subchapter B, Chapter 2054, Government Code, is
2 amended by adding Sections 2054.0333, 2054.0335, and 2054.0337 to
3 read as follows:

4 Sec. 2054.0333. ADVISORY COMMITTEES ON DEPARTMENT
5 FUNCTIONS REQUIRED. The board by rule shall establish advisory
6 committees under Section 2054.033 that advise the board on
7 governing the department and cover in subject matter the
8 department's primary functions, including at least one advisory
9 committee for each of the following subjects:

- 10 (1) procurement under Subchapter B, Chapter 2157;
11 (2) the development and implementation of information
12 security programs; and
13 (3) the preparation of the state strategic plan
14 required by Section 2054.091.

15 Sec. 2054.0335. STATEWIDE INFORMATION SECURITY ADVISORY
16 COMMITTEE. (a) The board by rule shall establish an advisory
17 committee under Section 2054.033 to make recommendations to the
18 department on improving the effectiveness of the department's and
19 this state's information security operations.

20 (b) The advisory committee must include members who are
21 information security professionals employed by state agencies and
22 local governments.

23 (c) The presiding officer of the advisory committee is the
24 chief information security officer under Section 2054.510.

25 Sec. 2054.0337. CUSTOMER ADVISORY COMMITTEE. (a) The
26 board by rule shall establish an advisory committee under Section
27 2054.033 to report to and advise the board on improving the

effectiveness and efficiency of services provided by the department to customers.

(b) The board shall appoint advisory committee members who are employees of state agencies that:

(1) use the department's services; and

(2) have 500 or fewer full-time employees, including at least three members who are employees of state agencies that have 150 or fewer full-time employees.

SECTION 12. Section 2054.035(b), Government Code, is amended to read as follows:

(b) The department shall prepare information of public interest describing the functions of the department ~~[and the procedures by which complaints are filed with and resolved by the department]~~. The department shall make the information available to the public and appropriate state agencies.

SECTION 13. Section 2054.036, Government Code, is amended to read as follows:

Sec. 2054.036. COMPLAINTS. (a) The department shall maintain a system to promptly and efficiently act on complaints filed with the department. The department shall maintain information about parties to the complaint, the subject matter of the complaint, and a summary of the results of the review or investigation of the complaint, and its disposition. ~~[keep a file about each written complaint filed with the department that the department has authority to resolve. The department shall provide to the person filing the complaint and the persons or entities complained about the department's policies and procedures~~

1 ~~pertaining to complaint investigation and resolution. The~~
2 ~~department, at least quarterly and until final disposition of the~~
3 ~~complaint, shall notify the person filing the complaint and the~~
4 ~~persons or entities complained about of the status of the complaint~~
5 ~~unless the notice would jeopardize an undercover investigation.]~~

6 (b) The department shall make information available
7 describing its procedures for complaint investigation and
8 resolution [~~keep information about each complaint filed with the~~
9 ~~department]. [~~The information shall include:~~~~

10 [~~(1) the date the complaint is received,~~

11 [~~(2) the name of the complainant,~~

12 [~~(3) the subject matter of the complaint,~~

13 [~~(4) a record of all persons contacted in relation to~~
14 ~~the complaint,~~

15 [~~(5) a summary of the results of the review or~~
16 ~~investigation of the complaint, and~~

17 [~~(6) for complaints for which the department took no~~
18 ~~action, an explanation of the reason the complaint was closed~~
19 ~~without action.]]~~

20 (c) The department shall periodically notify the complaint
21 parties of the status of the complaint until final disposition
22 unless the notice would jeopardize an ongoing investigation.

23 SECTION 14. Sections 2054.055(b) and (b-2), Government
24 Code, are amended to read as follows:

25 (b) The report must:

26 (1) assess the progress made toward meeting the goals
27 and objectives of the state strategic plan for information

1 resources management;

2 (2) describe major accomplishments of the state or a
3 specific state agency in information resources management;

4 (3) describe major problems in information resources
5 management confronting the state or a specific state agency;

6 (4) provide a summary of the total expenditures for
7 information resources and information resources technologies by
8 the state;

9 (5) make recommendations for improving the
10 effectiveness and cost-efficiency of the state's use of information
11 resources;

12 (6) describe the status, progress, benefits, and
13 efficiency gains of the state electronic Internet portal project,
14 including any significant issues regarding contract performance;

15 (7) provide a financial summary of the state
16 electronic Internet portal project, including project costs and
17 revenues;

18 (8) ~~[provide a summary of the amount and use of~~
19 ~~Internet-based training conducted by each state agency and~~
20 ~~institution of higher education,~~

21 ~~[(9)]~~ provide a summary of agency and statewide
22 results in providing access to electronic and information resources
23 to individuals with disabilities as required by Subchapter M;

24 (9) ~~[(10)]~~ assess the progress made toward
25 accomplishing the goals of the plan for a state telecommunications
26 network and developing a system of telecommunications services as
27 provided by Subchapter H; and

1 (10) [~~(11)~~] identify proposed major information
2 resources projects for the next state fiscal biennium, including
3 project costs through stages of the project and across state fiscal
4 years from project initiation to implementation.

5 (b-2) The information required under Subsection (b)(10)
6 [~~(b)(11)~~] must include:

7 (1) final total cost of ownership budget data for the
8 entire life cycle of the major information resources project,
9 including capital and operational costs that itemize staffing
10 costs, contracted services, hardware purchased or leased, software
11 purchased or leased, travel, and training;

12 (2) the original project schedule and the final actual
13 project schedule;

14 (3) data on the progress toward meeting the original
15 goals and performance measures of the project, specifically those
16 related to operating budget savings;

17 (4) lessons learned on the project, performance
18 evaluations of any vendors used in the project, and reasons for
19 project delays or cost increases; and

20 (5) the benefits, cost avoidance, and cost savings
21 generated by major technology resources projects.

22 SECTION 15. Subchapter C, Chapter 2054, Government Code, is
23 amended by adding Section 2054.057 to read as follows:

24 Sec. 2054.057. PROCUREMENT SERVICES PILOT PROGRAM. (a) In
25 this section:

26 (1) "Participating state agency" means a state agency
27 that the department has approved to participate in the pilot

1 program.

2 (2) "Pilot program" means the procurement services
3 pilot program established under this section.

4 (3) "State agency" means a board, commission, office,
5 department, or other agency in the executive, judicial, or
6 legislative branch of state government. The term does not include
7 an institution of higher education, as defined by Section 61.003,
8 Education Code.

9 (b) The department shall establish a pilot program under
10 which the department provides assistance in the procurement of
11 information resources technologies on request by a participating
12 state agency.

13 (c) A state agency may participate in the pilot program only
14 if the department approves of the participation in writing.

15 (d) The department may limit the:

16 (1) number of participating state agencies in the
17 pilot program; and

18 (2) types of information resources technologies for
19 which procurement assistance is provided under the pilot program.

20 (e) Services under the pilot program may include assistance
21 with:

22 (1) procurement planning;

23 (2) developing a cost estimate for an information
24 resources technologies project; and

25 (3) drafting and developing a solicitation.

26 (f) With respect to any procurement assistance provided by
27 the department under the pilot program, the department:

1 (1) may not control the procurement for which the
2 assistance is provided or the management of any resulting contract;
3 and

4 (2) is not civilly liable for damages resulting from
5 the provision of procurement assistance unless the damages result
6 from intentional conduct or gross negligence.

7 (g) Not later than December 1, 2028, the department shall
8 submit a report to the legislature that includes a summary of the
9 pilot program's activities and a recommendation of whether to
10 continue or expand the program.

11 (h) This section expires January 1, 2029.

12 SECTION 16. Section 2054.075(b), Government Code, is
13 amended to read as follows:

14 (b) Each state agency information resources manager is part
15 of the agency's executive management and reports directly to the
16 executive head or deputy executive head of the agency. Each state
17 agency shall report to the department the extent and results of its
18 compliance with this subsection and include with the report an
19 organizational chart showing the structure of the personnel in the
20 agency's executive management. ~~[The department shall report the~~
21 ~~extent and results of state agencies' compliance with this~~
22 ~~subsection to the legislature.]~~

23 SECTION 17. Section 2054.097, Government Code, is amended
24 by adding Subsections (c), (d), and (e) to read as follows:

25 (c) Once every two years, the department shall conduct a
26 limited evaluation of the information resources deployment review
27 of at least five state agencies to verify the accuracy of those

1 reviews. The department may limit the evaluation to review
2 responses on subjects that represent the highest risks or greatest
3 opportunities for improvement regarding the state agency's
4 software, hardware, compliance, and cybersecurity.

5 (d) The department is not required to conduct site visits as
6 part of the limited evaluation required by Subsection (c).

7 (e) The department shall use information received from the
8 limited evaluation required by Subsection (c) to:

9 (1) update trainings for and outreach to information
10 resources managers on accurately completing the information
11 resources deployment review; and

12 (2) recommend information resources technology
13 solutions to state agencies as needed.

14 SECTION 18. Section 2054.2606(c), Government Code, is
15 amended to read as follows:

16 (c) A licensing entity that establishes a profile system
17 under this section shall determine the information to be included
18 in the system and the manner for collecting and reporting the
19 information. At a minimum, the entity shall include the following
20 information in the profile system:

21 (1) the name of the license holder and the address and
22 telephone number of the license holder's primary practice location;

23 (2) whether the license holder's patient, client,
24 user, customer, or consumer service areas, as applicable, are
25 accessible to ~~[disabled]~~ persons with disabilities, as defined by
26 federal law;

27 (3) the type of language translating services,

1 including translating services for a person who is deaf or hard
2 ~~[with impairment]~~ of hearing, that the license holder provides for
3 patients, clients, users, customers, or consumers, as applicable;

4 (4) if applicable, insurance information, including
5 whether the license holder participates in the state child health
6 plan under Chapter 62, Health and Safety Code, or the Medicaid
7 program;

8 (5) the education and training received by the license
9 holder, as required by the licensing entity;

10 (6) any specialty certification held by the license
11 holder;

12 (7) the number of years the person has practiced as a
13 license holder; and

14 (8) if applicable, any hospital affiliation of the
15 license holder.

16 SECTION 19. Section 2054.376(b), Government Code, is
17 amended to read as follows:

18 (b) This subchapter applies ~~[does not apply]~~ to the
19 following only on the election of the state agency operating the
20 system, database, or network:

21 (1) the uniform statewide accounting system, as that
22 term is used in Subchapter C, Chapter 2101;

23 (2) the state treasury cash and treasury management
24 system;

25 (3) a database or network managed by the comptroller
26 to:

27 (A) collect and process multiple types of taxes

1 imposed by the state; or

2 (B) manage or administer fiscal, financial,
3 revenue, and expenditure activities of the state under Chapter 403
4 and Chapter 404; or

5 (4) a database or network managed by the Department of
6 Agriculture.

7 SECTION 20. Section 2054.456(a), Government Code, is
8 amended to read as follows:

9 (a) Each state agency shall, in developing, procuring,
10 maintaining, or using electronic and information resources, ensure
11 that state employees with disabilities have access to and the use of
12 those resources comparable to the access and use available to state
13 employees without disabilities, unless compliance with this
14 section imposes a significant difficulty or expense on the agency
15 under Section 2054.460. Subject to Section 2054.460, the agency
16 shall take reasonable steps to ensure that an ~~[a disabled]~~
17 with a disability has reasonable access to perform the employee's
18 duties.

19 SECTION 21. The heading to Section 2054.515, Government
20 Code, is amended to read as follows:

21 Sec. 2054.515. AGENCY DATA GOVERNANCE ~~[INFORMATION~~
22 ~~SECURITY]~~ ASSESSMENT AND REPORT.

23 SECTION 22. Section 2054.515, Government Code, is amended
24 by amending Subsections (a), (c), and (d) and adding Subsection
25 (a-1) to read as follows:

26 (a) At least once every two years, each state agency shall
27 conduct an ~~[information security]~~ assessment of the agency's ~~[+~~

1 ~~[(1) information resources systems, network systems,~~
2 ~~digital data storage systems, digital data security measures, and~~
3 ~~information resources vulnerabilities, and~~

4 ~~[(2)]~~ data governance program with participation from
5 the agency's data management officer, if applicable, and in
6 accordance with requirements established by department rule.

7 (a-1) Not later than June 1 of each even-numbered year, each
8 state agency shall report the results of the assessment conducted
9 under Subsection (a) to:

10 (1) the department; and

11 (2) on request, the governor, the lieutenant governor,
12 and the speaker of the house of representatives.

13 (c) The department by rule shall establish the requirements
14 for the ~~[information security]~~ assessment and report required by
15 this section.

16 (d) The report and all documentation related to the
17 ~~[information security]~~ assessment and report are confidential and
18 not subject to disclosure under Chapter 552. The state agency or
19 department may redact or withhold the information as confidential
20 under Chapter 552 without requesting a decision from the attorney
21 general under Subchapter G, Chapter 552.

22 SECTION 23. Sections 2054.5191(a), (a-1), and (a-2),
23 Government Code, are amended to read as follows:

24 (a) At least once each year, each employee of a [Each] state
25 agency ~~[shall identify state employees who use a computer to~~
26 ~~complete at least 25 percent of the employee's required duties. At~~
27 ~~least once each year, an employee identified by the state agency]~~

1 and each elected or appointed officer of the agency shall complete a
2 cybersecurity training program certified under Section 2054.519.

3 (a-1) At least once each year, each employee and each
4 elected or appointed official of a local government shall[-

5 ~~[(1) identify local government employees and elected~~
6 ~~and appointed officials who have access to a local government~~
7 ~~computer system or database and use a computer to perform at least~~
8 ~~25 percent of the employee's or official's required duties, and~~

9 ~~[(2) require the employees and officials identified~~
10 ~~under Subdivision (1) to]~~ complete a cybersecurity training program
11 certified under Section 2054.519.

12 (a-2) The governing body of a local government or the
13 governing body's designee may deny access to the local government's
14 computer system or database to an employee or official of the local
15 government [~~an individual described by Subsection (a-1)(1)] who the~~
16 governing body or the governing body's designee determines is
17 noncompliant with the requirements of Subsection (a-1) [~~(a-1)(2)]~~.

18 SECTION 24. Subchapter N-1, Chapter 2054, Government Code,
19 is amended by adding Section 2054.5195 to read as follows:

20 Sec. 2054.5195. INFORMATION SECURITY ASSESSMENT AND
21 PENETRATION TEST REQUIRED. (a) This section does not apply to a
22 university system or institution of higher education as defined by
23 Section 61.003, Education Code.

24 (b) At least once every two years, the department shall
25 require each state agency to complete an information security
26 assessment and a penetration test to be performed by the department
27 or, at the department's discretion, a vendor selected by the

1 department.

2 (c) The department shall establish rules as necessary to
3 implement this section, including rules for the procurement of a
4 vendor under Subsection (b).

5 SECTION 25. Section 2157.068(a), Government Code, is
6 amended to read as follows:

7 (a) In this section:

8 (1) "Commodity[~~, "commodity~~] items" means commercial
9 software, hardware, or technology services, other than
10 telecommunications services, that are generally available to
11 businesses or the public and for which the department determines
12 that a reasonable demand exists from an eligible entity listed in[~~, as defined by~~
13 Section 2054.0525 [2054.375,] that purchases the
14 items through the department. The term includes seat management,
15 through which an eligible entity transfers its personal computer
16 equipment and service responsibilities to a private vendor to
17 manage the personal computing needs for each desktop of the
18 eligible entity, including all necessary hardware, software, and
19 support services.

20 (2) "Technology services" means services, regardless
21 of the method of charging fees for those services, that:

22 (A) relate to the development, configuration,
23 review, assessment, acquisition, implementation, or maintenance of
24 information technology hardware, software, or services; or

25 (B) consist of other routine technology services
26 not described by Paragraph (A).

27 SECTION 26. Section 2170.005(c), Government Code, is

1 amended to read as follows:

2 (c) Telephone directories published by the department under
3 this section and Section 2170.059 must be revised regularly and
4 must list state telephone numbers alphabetically by the subject
5 matter of agency programs as well as alphabetically by agency. The
6 subject matter listing of programs and telephone numbers in the
7 telephone directories must be consistent with the categorization
8 developed by the Records Management Interagency Coordinating
9 Council under Section 441.203. The department may authorize, under
10 procedures and rules considered appropriate by the department, a
11 method [~~yellow pages advertising section in the directories~~] to
12 recover development, publication, and distribution costs of the
13 directories.

14 SECTION 27. Section 2170.059(a), Government Code, is
15 amended to read as follows:

16 (a) The department shall provide centralized telephone
17 service for state agencies, each house of the legislature, and
18 legislative agencies in the capitol complex. State agencies in the
19 capitol complex may [~~shall~~] use the service. Each house of the
20 legislature and each legislative agency may [~~shall~~] use the service
21 at the discretion of the legislature. The department may provide
22 the service to other state agencies that subscribe to it.

23 SECTION 28. The following provisions of the Government Code
24 are repealed:

- 25 (1) Section 441.010;
26 (2) Section 2054.021(d);
27 (3) Section 2054.023(c);

1 (4) Section 2054.0331;
2 (5) Section 2054.091(d);
3 (6) Section 2054.0925(c);
4 (7) Section 2054.515(b), as amended by Chapter 567
5 (S.B. 475), Acts of the 87th Legislature, Regular Session, 2021;
6 (8) Section 2054.515(b), as amended by Chapter 856
7 (S.B. 800), Acts of the 87th Legislature, Regular Session, 2021;
8 (9) Chapter 2055;
9 (10) Section 2170.009;
10 (11) Section 2170.010; and
11 (12) Section 2170.059(c).

12 SECTION 29. (a) In this section, "institution of higher
13 education" has the meaning assigned by Section 61.003, Education
14 Code.

15 (b) As soon as possible after the effective date of this
16 Act, as the terms of members of the governing board of the
17 Department of Information Resources expire or as vacancies occur,
18 the governor shall appoint members to the board so that the board is
19 composed in accordance with Section 2054.021, Government Code, as
20 amended by this Act, except that the term of the member of the board
21 serving on the board immediately before the effective date of this
22 Act who holds the position of the member who is employed by an
23 institution of higher education expires on that date. A member of
24 the governing board whose term expires under this subsection is
25 eligible for reappointment under Subsection (c) of this section.

26 (c) Not later than December 1, 2025, the governor shall
27 appoint the following members to the governing board of the

1 Department of Information Resources in accordance with Section
2 2054.021, Government Code, as amended by this Act:

3 (1) one voting member to serve a term that expires
4 February 1, 2031; and

5 (2) one nonvoting member to the position of the member
6 who is employed by an institution of higher education to serve a
7 term that expires February 1, 2027.

8 SECTION 30. (a) Except as provided by Subsection (b) of
9 this section, Section 2054.021(f), Government Code, as amended by
10 this Act, applies to a member of the governing board of the
11 Department of Information Resources appointed before, on, or after
12 the effective date of this Act.

13 (b) A member of the governing board of the Department of
14 Information Resources who, before the effective date of this Act,
15 completed the training program required by Section 2054.021(f),
16 Government Code, and described in Section 2054.021(g), Government
17 Code, as that law existed before the effective date of this Act, is
18 only required to complete additional training on the subjects added
19 by this Act to the training program described by Section
20 2054.021(g), Government Code. A member described by this
21 subsection may not vote, deliberate, or be counted as a member in
22 attendance at a meeting of the board held on or after December 1,
23 2025, until the member completes the additional training.

24 SECTION 31. If any provision of this Act conflicts with a
25 provision of another Act of the 89th Legislature, Regular Session,
26 2025, relating to the establishment of the Texas Cyber Command as a
27 component institution of The University of Texas System and the

1 transfer to it of certain powers and duties of the Department of
2 Information Resources, the provision of the other Act prevails to
3 the extent of the conflict, regardless of the relative dates of
4 enactment.

5 SECTION 32. This Act takes effect September 1, 2025.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 27, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1500 by Bell, Keith (Relating to the continuation and functions of the Department of Information Resources, including the composition of the governing body of the department and, in collaboration with the comptroller, the administration of state assistance opportunities.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would continue the Department of Information Resources (DIR) for 12 years and require DIR to implement recommendations by the Sunset Commission. The bill would require the Comptroller, in coordination with DIR, to develop an electronic advertising system to post state assistance opportunities on the Electronic State Business Daily, authorizing institutions of higher education, university systems, and health and human services agencies to post the advertisements. It is assumed that any costs associated with implementation of the bill's provisions could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 304 Comptroller of Public Accounts, 313 Department of Information Resources, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 537 State Health Services, Department of, 710 Texas A&M University System Administrative and General Offices, 717 Texas Southern University, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 775 Texas Woman's University System, 783 University of Houston System Administration, 966 Howard College, 978 San Jacinto College

LBB Staff: JMc, SD, RStu, LCO, CSmi, NV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 23, 2025

TO: Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1500 by Bell, Keith (relating to the continuation and functions of the Department of Information Resources, including the composition of the governing body of the department and, in collaboration with the comptroller, the administration of state assistance opportunities.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would continue the Department of Information Resources (DIR) for 12 years and require DIR to implement recommendations by the Sunset Commission. The bill would require the Comptroller, in coordination with DIR, to develop an electronic advertising system to post state assistance opportunities on the Electronic State Business Daily, authorizing institutions of higher education, university systems, and health and human services agencies to post the advertisements. It is assumed that any costs associated with implementation of the bill's provisions could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 304 Comptroller of Public Accounts, 313 Department of Information Resources, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 537 State Health Services, Department of, 710 Texas A&M University System Administrative and General Offices, 717 Texas Southern University, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 775 Texas Woman's University System, 783 University of Houston System Administration, 966 Howard College, 978 San Jacinto College

LBB Staff: JMc, RStu, LCO, CSmi, NV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 18, 2025

TO: Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1500 by Bell, Keith (Relating to the continuation and functions of the Department of Information Resources, including the composition of the governing body of the department.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would continue the Department of Information Resources (DIR) for 12 years and require DIR to implement recommendations by the Sunset Commission. Based on the analysis of the Department of Information Resources and the Sunset Advisory Commission, it is assumed that any costs associated with implementation of the bill's provisions could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 313 Department of Information Resources

LBB Staff: JMc, RStu, CSmi, LCO, NV

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 25, 2025

TO: Honorable Giovanni Capriglione, Chair, House Committee on Delivery of Government Efficiency

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB1500** by Bell, Keith (Relating to the continuation and functions of the Department of Information Resources, including the composition of the governing body of the department.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would continue the Department of Information Resources (DIR) for 12 years and require DIR to implement recommendations by the Sunset Commission. Based on the analysis of the Department of Information Resources and the Sunset Advisory Commission, it is assumed that any costs associated with implementation of the bill's provisions could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 313 Department of Information Resources

LBB Staff: JMc, RStu, LCO, CSmi, NV