

BILL ANALYSIS

Senate Research Center
86R7434 YDB-D

S.B. 819
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Over the past decade, Texas has made several important leaps forward concerning its information technology strategies. All of these improvements established the federated system of information security in place today where Department of Information Resources (DIR) provides guidance and direction to agencies, which in turn are responsible for their own information technology (IT) and cybersecurity.

The 85th Legislature saw further coordination and improvement to statewide agency IT with the passage of S.B. 532 (Nelson/Capriglione). S.B. 532 required agencies to consider the security costs and benefits of cloud computing, report the inventory of information resource infrastructure, and keep cybersecurity information confidential.

S.B. 819 builds upon past successes to improve the effectiveness of statewide (IT) by implementing recommendations from the DIR's Biennial Performance Report.

As proposed, S.B. 819 amends current law relating to state agency electronic information and processes.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2054.0286, Government Code, as follows:

Sec. 2054.0286. New heading: CHIEF DATA OFFICER. (a) Requires the executive director of the Department of Information Resources (executive director; DIR), using existing DIR funds, to employ a chief data officer, rather than a statewide data coordinator, to:

- (1) makes no change to this subdivision;
- (2)–(3) makes nonsubstantive changes; and
- (4) assist DIR in the development and management of a data portal for use by state agencies.

(b) Requires the chief data officer, rather than the statewide data coordinator, to develop and implement best practices among state agencies to:

- (1)–(4) makes no changes to these subdivisions;
- (5) encourage agencies to collect and post on the agencies' Internet websites or the data portal managed by DIR information related to an agency's, rather than agency, functions or other data maintained by DIR

that is in an open file format and is machine-readable, exportable, and easily accessible by the public; and

(6) makes no changes to this subdivision.

(c) Makes a conforming change.

(d) Deletes existing text providing that this section expires September 1, 2021.

SECTION 2. Amends Subchapter C, Chapter 2054, Government Code, by adding Sections 2054.069 and 2054.070, as follows:

Sec. 2054.069. **DIGITAL TRANSFORMATION GUIDE.** (a) Requires DIR to establish a digital transformation guide to assist state agencies with:

(1) modernizing agency operations and services with respect to electronic data; and

(2) converting agency information into electronic data.

(b) Authorizes DIR to provide:

(1) mobile application development assistance;

(2) paper document and form inventory assistance;

(3) paperless or paper-on-request operational process planning and development; and

(4) electronic notification and digital communication between the agency and the public.

Sec. 2054.070. **CENTRAL REPOSITORY FOR PUBLICLY ACCESSIBLE ELECTRONIC DATA.** (a) Requires DIR to:

(1) establish a central repository of publicly accessible electronic data as the official open data Internet website for this state;

(2) designate the repository as the Texas Open Data Portal; and

(3) ensure that state agencies and political subdivisions of this state are granted shared access to the repository that allows the agencies and political subdivisions to easily post publicly accessible information to the repository.

(b) Requires each state agency to prioritize using the central repository of electronic data established under Subsection (a) and to actively collaborate with DIR on publicly accessible data issues.

SECTION 3. Amends Section 2054.071, Government Code, as follows:

Sec. 2054.071. **IDENTITY OF MANAGER; CONSOLIDATION.** (a) Requires each state agency to designate an employee of the agency to serve as the agency's information resources manager, rather than requiring the presiding officer of the governing body of a state agency, if the agency is governed by one or more fully paid full-time state officials, and otherwise the executive director of the agency, or the designated representative of the presiding officer or executive director, to serve as the agency's information resources manager.

(b) Authorizes an employee, rather than a representative, designated under Subsection (a) to be designated to serve as a joint information resources manager by two or more state agencies.

SECTION 4. Amends Section 2157.007(b), Government Code, as follows:

(b) Requires a state agency to consider:

(1) creates this subdivision from existing text and makes nonsubstantive changes; and

(2) cloud computing service options and compatibility with cloud computing services in the development of new information technology software applications.

SECTION 5. Effective date: September 1, 2019.