

BILL ANALYSIS

Senate Research Center
82R1492 CJC-D

S.B. 632
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Government Organization
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under Chapter 2054 (Information Resources), Government Code, public junior colleges are considered state agencies while junior college districts are considered local government entities.

State agencies are required to comply with Department of Information Resources (DIR) rules, including the designation and training of information resource managers and making technology accessible to people with disabilities.

Historically, DIR has considered public junior colleges and public junior college districts to not be subject to DIR's requirements. Public junior colleges are already specifically excluded from DIR's requirements under the Government Code chapter relating to information security; however, junior colleges must still comply with applicable federal requirements relating to information technology, including those requirements regarding information security and privacy, and the accessibility of technology for people with disabilities.

S.B. 632 clarifies that public junior colleges and public junior college districts are considered to be part of local government and are not considered state agencies for purposes of adherence to DIR's statutory obligations or rules. Exempting them from DIR's requirements, will enable them to take advantage of other information technology programs that may be more economical for the local government and the institution.

As proposed, S.B. 632 amends current law relating to the application of the Information Resources Management Act to public junior colleges and public junior college districts.

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 Subchapter A, Chapter 2054, Government Code, by adding Section 2054.0075, as follows:

Sec. 2054.0075. EXCEPTION: PUBLIC JUNIOR COLLEGE. Provides that this chapter does not apply to a public junior college or a public junior college district, except as necessary for participation in the electronic government project implemented under Subchapter I (TexasOnline Project).

SECTION 2. Effective date: upon passage or September 1, 2011.