

BILL ANALYSIS

H.B. 2476
By: Guillen
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There have been calls to reduce the burden of state agency reporting requirements and to provide state agencies and the public the flexibility to choose the communication method that is the timeliest, most efficient, and most cost-effective for the respective parties. H.B. 2476 seeks to increase efficiencies in the operations, communications, and notice procedures of state agencies by providing agencies the ability to use the most efficient means available to transmit reports and mail documents, providing for a study to evaluate the necessity of each agency report, and requiring the online publication of certain agency reports.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to each applicable state agency in SECTION 3 of this bill.

ANALYSIS

H.B. 2476 amends the Government Code to require the Texas State Library and Archives Commission (TSLAC), not later than January 1 of each odd-numbered year, to submit to the governor and the Legislative Budget Board (LBB) a written report regarding all statutorily required reports prepared by and submitted to a state agency. The bill sets out provisions relating to the manner in which the report is compiled, the contents of the report, and how the report will be made publicly available.

H.B. 2476 authorizes an applicable state agency to transmit and receive state documents in a format prescribed by the agency and in any manner that the agency determines will increase agency efficiency without compromising the delivery of the agency's program to the public. The bill, with respect to this authorization:

- authorizes an agency to continue to use established procedures prescribed by state law or agency policy for the transmission and receipt of documents; and
- requires a state agency that transmits and receives state documents using an electronic medium by rule to develop electronic communication procedures for the agency.

H.B. 2476 establishes that the provisions regarding such authorized transmission and receipt do not authorize the electronic transmission or receipt of documents that are prohibited from being electronically transmitted or received under federal law and that those provisions prevail over any other state law relating to the transmission and receipt of state agency documents.

H.B. 2476 adds temporary provisions set to expire September 1, 2022, requiring a state agency to include in the agency's legislative appropriations request submitted to the LBB for the 2022-2023 state fiscal biennium a report on any cost savings or achievements in efficiency recognized from implementing a change in the agency's procedures for the transmission and receipt of state documents during the 2020-2021 state fiscal biennium.

H.B. 2476 requires an applicable state agency to use the state electronic Internet portal to submit or post a report prepared by the agency that is required by a statute, rule, or rider in the General Appropriations Act to be submitted to the governor, a member, agency, or committee of the legislature, another state agency, or the public, to the extent that such a report is not confidential or exempt from disclosure under state public information law.

H.B. 2476 requires the Department of Information Resources (DIR) to collaborate with TSLAC to develop and provide to each state agency guidelines that assist the agency in determining the reports prepared by the agency that are appropriate for submission through the state electronic Internet portal and the retention requirements for those reports. The bill, with respect to such submission:

- requires TSLAC to monitor the effectiveness of state agency use of the state electronic Internet portal for the purposes of submitting or posting the reports;
- establishes that a state agency that posts a report using the portal satisfies any requirement in state law that the agency post the report on the agency's website if the agency posts a direct link to the portal on the agency's website; and
- establishes that a state agency is not required to comply with these provisions until DIR notifies the agency that the state electronic Internet portal project is configured to allow that compliance.

H.B. 2476 requires the comptroller of public accounts to conduct a study on the mail operations of each executive branch state agency that receives an appropriation that identifies provisions of law relating to the mailing requirements for the agency that impede the efficient transmission and receipt of documents by the agency. The bill requires the comptroller, in conducting the study, to collaborate with other state agencies to consider the needs or concerns specific to those agencies. The bill requires the comptroller, not later than November 1, 2020, to post the findings on the comptroller's website. These provisions expire September 1, 2021.

H.B. 2476 amends the Government Code, Health and Safety Code, and Natural Resources Code to set out provisions related to the provision of certain state agency notices through email or certified email, as applicable.

EFFECTIVE DATE

September 1, 2019.