

## **BILL ANALYSIS**

C.S.H.B. 2884  
By: Miller  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been asserted that requiring state agencies to use state data technology centers has created a monopoly, increased costs, and stifled innovation. C.S.H.B. 2884 seeks to provide state agencies more flexibility to determine how to use technology to store state data.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2884 amends the Government Code to require the Department of Information Resources (DIR) to allow an applicable state agency, at the agency's discretion, to contract with a cloud computing service provider for certain information resources technology and software application services or to use a statewide technology center for those services. The bill specifies that the other entity with whom DIR may contract to operate such a center is a cloud computing service provider.

C.S.H.B. 2884 replaces the requirement for DIR to manage the operations of statewide technology centers that provide data center services or disaster recovery services for two or more state agencies with an authorization for DIR or a cloud computing service provider under contract with DIR to do so and repeals provisions requiring the use of those centers. The bill removes the requirement for DIR to conduct a cost and requirements analysis for each state agency DIR intends to select for participation in such a center and requires each state agency DIR considers for participation instead to conduct the analyses to determine the agency's information resource technology needs and to consider using a cloud computing service or a statewide technology center. The bill clarifies that an agency must identify its particular technology requirements for DIR and removes the requirement for DIR to fulfill those requirements and service levels of each state agency to the extent possible.

C.S.H.B. 2884 removes the requirement for DIR to prioritize the migration of services to the statewide technology center system and requires DIR instead to prioritize and fully use the existing capacity of the State Data Center located on the Angelo State University campus on adopting a consolidation plan to migrate services to a statewide technology center. The bill removes the explicit authorization for money in the statewide technology account to be used for the operation and management of a statewide technology center, limiting the use of that money to only purposes specified by the legislature.

C.S.H.B. 2884 repeals the prohibition against a state agency spending appropriated money to contract or issue purchase orders for data center services or disaster recovery services unless the executive director of DIR approves the expense.

C.S.H.B. 2884 repeals Sections 2054.382(c) and (d) and Section 2054.391, Government Code.

**EFFECTIVE DATE**

September 1, 2019.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2884 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitutes specifies that the other entity with whom DIR may contract to operate a statewide technology center is a cloud computing service provider.