

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 2589  
By: Hochberg (Wentworth)  
State Affairs  
5/6/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

State agencies with budgets exceeding a certain amount are required to maintain a generally accessible Internet site. In addition to specified information, such as budget, rules, and contracts, many sites also include commonly requested information such as hearing announcements, program descriptions, or publications. Currently there is no requirement for a state agency to post a notice stipulating the conditions of use for information copied from a state agency Internet site. C.S.H.B. 2589 requires the Department of Information Resources to create a terms of service statement for state agency Internet sites and to establish and administer a clearinghouse for information relating to all aspects of protecting the security of state agency information.

### **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 Chapter 2054C, Government Code, by adding Section 2054.063, as follows:

Sec. 2054.063. INFORMATION SECURITY. Requires the Department of Information Resources (department) to establish and administer a clearinghouse for information relating to all aspects of protecting the security of state agency information.

SECTION 2. Amends Section 2054.092, Government Code, to require the state strategic plan to provide a strategic direction for information resources management in state government for the five fiscal years following adoption of the plan, including providing a best practices model to assist state agencies in adopting effective information management methods and obtaining effective information resources technologies.

SECTION 3. Amends Section 2054.121, Government Code, as added by Section 1, Chapter 1573, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

Sec. 2054.121. REQUIRED POSTING OF INFORMATION ON INTERNET. (a) Requires the Department of Information Resources (department) to adopt a policy that meets certain criteria.

(b) Requires the department to post the policy on its Internet site. Requires a state agency to prominently post a link to the policy statement on a generally accessible Internet site maintained by or for the agency.

(c) Requires the policy to include certain statements.

Redesignates existing text of Section 2054.121, Government Code, as Section 2054.121(d), Government Code.

SECTION 4. Amends Chapter 2054F, Government Code, by adding Section 2054.127, as follows:

Sec. 2054.127. INTERNET WEBSITE DEVELOPMENT: GRANTS AND ASSISTANCE. Requires the department to encourage each state agency to seek available grants and to work with public educational institutions and members of the business and industry community for the purpose of Internet website development and maintenance.

SECTION 5. Amends Chapter 552C, Government Code, by adding Section 552.136, as follows:

Sec. 552.136. CONFIDENTIALITY OF CERTAIN E-MAIL ADDRESSES. (a) Provides that an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body is confidential and not subject to disclosure under this chapter.

(b) Authorizes confidential information described by this section that relates to a member of the public to be disclosed if the member of the public affirmatively consents to its release.

SECTION 6. Effective date: September 1, 2001.

#### **SUMMARY OF COMMITTEE CHANGES**

Inserts new SECTIONS 1 - 3 and rennumbers previously proposed SECTIONS 1 - 3 as SECTIONS 4 - 6 with no changes.