

BILL ANALYSIS

Senate Research Center
77R1907 MXM-F

S.B. 187
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State Affairs
2/28/2001
As Filed

DIGEST AND PURPOSE

The Electronic Government Task Force, authorized by the 76th Legislature, has successfully launched the Texas Online Internet portal to provide a single point for citizens and businesses to access electronic government (e-government) services in Texas. Through Texas Online, citizens can now renew their car registration and soon will be able to renew their driver's licenses. Also, Texas business have online access to filing and payment of sales tax, insurance agent license renewal, air conditioning and refrigeration contractors license renewal, and registration for certain events through the Texas Natural Resources Conservation Commission. Texas Online has links to more than 200 forms and applications from 124 agencies, and many more government services are currently being developed for inclusion in Texas Online. As proposed, S.B. 187 establishes a 15-member commission to provide vision, leadership, and operational oversight for the Texas Online portal project and requires the commission to report to the legislature on the feasibility of allowing the sale and placement of advertising on Texas Online.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the governing board of the Department of Information Resources in SECTION 1(Section 2054.263, Government Code) of this bill.

Rulemaking authority is expressly granted to the Department of Information Resources in SECTION 3 (Section 2054.111, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 2054, Government Code, by adding Subchapter I, as follows:

SUBCHAPTER I. TEXAS ONLINE COMMISSION AND PROJECT

Sec. 2054.251. DEFINITIONS. Defines "commission," "division," "local government," and "project."

Sec. 2054.252. TEXAS ONLINE PROJECT. Requires the Texas Online Commission (commission) to implement a Texas Online Project (project) that establishes a common electronic system using the Internet through which state agencies and local governments can electronically perform certain specific transactions with members of the public and persons who are regulated by a state agency or local government.

Sec. 2054.253. CREATION OF TEXAS ONLINE COMMISSION. Provides that the commission is a state agency.

Sec. 2054.254. MEMBERSHIP. Provides that the commission consists of 15 members, as follows:

- a representative of each of the following state officers or agencies appointed by the

state officer of the governing body of the agency: the comptroller; the state auditor; and the Department of Information Resources (department);

- three representatives of local governments appointed by the governor;
- three representatives of business that are regulated by a state agency or local government, appointed by the governor;
- three representatives of state agencies, including an institution of higher education other than a junior college district, appointed by the governor; and
- three public members appointed by the governor.

Sec. 2054.255. TERMS. Provides that the members of the commission are appointed for staggered terms of six years with five members' terms expiring on February 1 of each odd-numbered year.

Sec. 2054.256. PRESIDING OFFICER. Provides that the member of the commission representing the department is the presiding officer.

Sec. 2054.257. MEETINGS. Requires the commission to meet at least quarterly.

Sec. 2054.258. REIMBURSEMENT OF EXPENSES. Provides that a member of the commission is not entitled to compensation. Entitles a member of the commission to reimbursement for the member's travel expenses as provided by Chapter 660 and the General Appropriations Act.

Sec. 2054.259. TRAINING FOR COMMISSION MEMBERS. Requires a commission member to complete, not later than six months after the date on which a commission member is appointed, training on certain specific information.

Sec. 2054.260. GENERAL POWERS AND DUTIES OF TEXAS ONLINE COMMISSION. Requires the commission to:

- develop policies related to operation of the project;
- consider application to use the project;
- operate and promote the project;
- manage contract performance for the project;
- comply with department financial requirements;
- oversee money generated for the operation and expansion of the project;
- develop project pricing policies;
- evaluate participation in the project to determine if performance efficiencies or other benefits and opportunities are gained through project implementation;
- advise the department about the project; and
- coordinate with the department to receive periodic security audits of the operational facilities of the project.

Sec. 2054.261. REPORTING REQUIREMENTS. (a) Requires the commission, not later than September 1 of each even-numbered year, to report on the status, progress, benefits, and efficiency gains of the project. Requires the commission to provide the report to certain specific entities.

(b) Requires the commission to report to the department regarding financial matters, including project costs and revenues, as required by the department.

(c) Requires the commission to report to the department significant issues regarding the project's contract performance.

Sec. 2054.262. ASSISTANCE AND COORDINATION WITH OTHER GOVERNMENTAL ENTITIES. Requires the commission to:

- assist state agencies and local governments in researching and identifying potential funding sources for the project;
- assist state agencies and local governments in using the project;
- assist the legislature and other state leadership in coordinating electronic government initiatives; and
- coordinate operations between state agencies and local governments to achieve integrated planning for the project.

Sec. 2054.263. RULES. (a) Requires the commission to prepare rules regarding operation of the project for consideration by the governing board of the department (board).

(b) Authorizes the board to adopt rules prepared by the commission.

Sec. 2054.264. SEAL. Requires the commission to adopt an icon, symbol, brand, or other identifying device to represent the project.

Sec. 2054.265. TEXAS ONLINE DIVISION. Requires the department to create a division in the department to assist the commission in implementing its powers and duties under this subchapter, including providing personnel to the commission.

Sec. 2054.266. SEPARATION OF RESPONSIBILITIES. Requires the commission to develop and implement policies that clearly separate the policymaking responsibilities of the commission and the management responsibilities of the division.

Sec. 2054.267. GIFTS. Authorizes the commission to request and accept a gift, donation, or grant from any person.

Sec. 2054.268. APPLICABILITY OF OTHER LAW. Provides that Section 2110 does not apply to the commission.

SECTION 2. Amends Section 2054.062(f), Government Code, to provide that the task force is abolished and this section expires November, rather than September, 1, 2001.

SECTION 3. Amends Chapter 2054F, Government Code, by adding Sections 2054.111 and 2054.112, as follows:

Sec. 2054.111. USE OF TEXAS ONLINE PROJECT. (a) Defines "commission," "local

government,” and “project.”

(b) Requires a state agency to consider using the project for certain specific agency services provided on the Internet that require security.

(c) Requires a state agency to provide proof to the commission, if a state agency chooses not to use the project under Subsection (a), that the services used by the agency are at least equivalent to, and at equal or lower costs than, those services that the project could provide. Requires the commission to prescribe the documentation required.

(d) Requires a state agency that chooses to use the project under Subsection (a) to comply with rules adopted by the department, including any rules regarding the appearance of the agency’s Internet site and the ease with which the site can be used, and the use of the commission seal.

(e) Authorizes a state agency or local government that uses the project to charge a fee to recover the actual costs reasonably incurred by the agency or local government because of the project.

Sec. 2054.112. SECURITY REVIEW FOR NEW INTERNET SITES. Requires each state agency to review its requirements for forms, data collection, and notarization when planning to deliver a service through the Internet, to determine the appropriate level of authentication.

SECTION 4. Provides that the project created by Chapter 2054I, Government Code, as added by this Act, is a continuation and expansion of the demonstration project created by Section 2054.062, Government Code.

SECTION 5. (a) Requires the officers and other entities responsible for making appointments under Section 2054.254, Government Code, as added by this Act, to make their initial appointments not later than October 31, 2001.

(b) Requires the governor to designate the initial terms of all appointees so that five members’ terms expire on each of the following dates: February 1, 2003; February 1, 2005; and February 1, 2007.

(c) Prohibits the commission from holding its first meeting before November 1, 2001.

SECTION 6. Effective date: upon passage or September 1, 2001.