

BILL ANALYSIS

Senate Research Center

C.S.S.B. 187

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State Affairs

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Committee Report (Substituted)

DIGEST AND PURPOSE

The Electronic Government Task Force, authorized by the 76th Legislature, has successfully launched the TexasOnline Internet portal to provide a single point for citizens and businesses to access electronic government (e-government) services in Texas. Through TexasOnline, citizens can now renew their car registration and soon will be able to renew their driver's licenses. Also, Texas businesses 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. TexasOnline has links to more than 200 forms and applications from 124 agencies, and many more government services are currently being developed for inclusion in TexasOnline. C.S.S.B.187 establishes a 15-member authority to provide vision, leadership, and operational oversight for the TexasOnline portal project and requires the authority to report to the legislature on the feasibility of allowing the sale and placement of advertising on TexasOnline.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the governing board of the Department of Information Resources in SECTION 1 (Section 2054.262, Government Code) and 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. TEXASONLINE AUTHORITY AND PROJECT

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

Sec. 2054.252. TEXASONLINE PROJECT. Requires the TexasOnline Authority (authority) to implement a project designated as "TexasOnline" that establishes a common electronic infrastructure through which state agencies and local governments are authorized to electronically perform certain specific transactions with agencies and local governments, members of the public, and persons who are regulated by a state agency or local government. Authorizes the electronic infrastructure established by the authority to include the Internet, intranets, extranets, and wide area networks.

Sec. 2054.253. MEMBERSHIP. Provides that the authority consists of 15 members and sets forth guidelines concerning member requirements.

Sec. 2054.254. TERMS. Provides that the members of the authority are appointed for staggered terms of six years with five members' terms expiring on February 1 of each odd-numbered year.

Sec. 2054.255. PRESIDING OFFICER. Provides that the member of the authority

representing the Department of Information Resources (department) is the presiding officer.

Sec. 2054.256. MEETINGS. Requires the authority to meet at least quarterly.

Sec. 2054.257. REIMBURSEMENT OF EXPENSES. Provides that a member of the authority is not entitled to compensation. Entitles a member of the authority to reimbursement for the member's travel expenses as provided by Chapter 660 and the General Appropriations Act.

Sec. 2054.258. TRAINING FOR AUTHORITY MEMBERS. Requires an authority member to complete, not later than six months after the date on which the member is appointed, training on certain specific information.

Sec. 2054.259. GENERAL POWERS AND DUTIES OF TEXASONLINE AUTHORITY. Requires the authority to perform certain stated functions.

Sec. 2054.260. REPORTING REQUIREMENTS. (a) Requires the authority, 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 authority to provide the report to certain specific entities.

(b) Requires the authority to report to the Department of Information Resources (department) regarding financial matters, including project costs and revenues, as required by the department.

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

Sec. 2054.261. ASSISTANCE AND COORDINATION WITH OTHER GOVERNMENTAL ENTITIES. Requires the authority to perform certain functions regarding assistance and coordination with other governmental entities.

Sec. 2054.262. RULES. (a) Requires the authority to prepare rules regarding operation of the project for consideration by the governing board of the Department of Information Resources (board).

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

Sec. 2054.263. SEAL. Requires the authority to adopt an icon, symbol, brand, or other identifying device to represent the project.

Sec. 2054.264. TEXASONLINE DIVISION. Requires the department to create a division in the department designated "TexasOnline" to assist the authority in implementing its powers and duties under this subchapter.

Sec. 2054.265. SEPARATION OF RESPONSIBILITIES. Requires the authority to develop and implement policies that clearly separate the policymaking responsibilities of the authority and the management responsibilities of the division.

Sec. 2054.266. GIFTS. Authorizes the authority to request and accept a gift, donation, or grant from any person.

Sec. 2054.267. APPLICABILITY OF OTHER LAW. Provides that Section 2110 does not apply to the authority.

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 TEXASONLINE PROJECT. (a) Defines “ authority,” “local government,” and “project.”

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

(c) Requires a state agency to provide documentation to the authority, if a state agency chooses not to use the project under Subsection (b), that shows the services and security required by the agency. Requires the authority to prescribe the documentation required.

(d) Requires a state agency that chooses to use the project under Subsection (b) 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 under certain conditions.

(f) Prohibits a local government from charging a fee under Subsection (e) that is otherwise prohibited under Sections 195.006 and 195.007.

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 if the information is necessary and, if necessary, the appropriate level of authentication. Requires the agency, based on this review, to perform certain functions.

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 2054.253, 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 authority from holding its first meeting before November 1, 2001.

SECTION 6. Requires the authority to report on the feasibility of allowing the sale or placement of advertising on the project described by Section 2054.252, Government Code, as added by this Act, and to provide this report to certain stated persons.

SECTION 7. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 187, proposed new Subchapter I, Chapter 2054, Government Code, as follows:

New heading: SUBCHAPTER I. TEXASONLINE AUTHORITY AND PROJECT

Sec. 2054.251. Defines “authority” as the TexasOnline Authority. Omits the term “commission.” Redefines “division.”

Sec. 2054.252. Renames the “Texas Online Project” as “TexasOnline.” Replaces the text “a common electronic system using the Internet” with “a common electronic infrastructure.” Authorizes, rather than provides, TexasOnline to be used by state agencies and local governments to perform certain specific transactions with agencies and local governments, as well as members of the public and persons who are regulated by a state agency or local government. Authorizes the electronic infrastructure established by the authority to include the Internet, intranets, extranets, and wide area networks.

Sec. 2054.253. Omits previously proposed Section 2054.253 creating the Texas Online Commission. Designated as Section 2054.254 in original As Filed S.B. 187. Requires a representative of the state auditor to advise the authority rather than be a member of the authority.

Sec. 2054.254. Designated as Section 2054.255 in original As Filed S.B. 187. Makes a conforming change.

Sec. 2054.255. Designated as Section 2054.256 in original As Filed S.B. 187. Makes a conforming change.

Sec. 2054.256. Designated as Section 2054.257 in original As Filed S.B. 187. Makes a conforming change.

Sec. 2054.257. Designated as Section 2054.258 in original As Filed S.B. 187. Makes conforming changes.

Sec. 2054.258. Designated as Section 2054.259 in original As Filed S.B. 187. Makes conforming changes.

Sec. 2054.259. Designated as Section 2054.260 in original As Filed S.B. 187. Makes conforming changes and expands the original listing of functions required to be performed by the authority.

Sec. 2054.260. Designated as Section 2054.261 in original As Filed S.B. 187. Makes conforming changes.

Sec. 2054.261. Designated as Section 2054.262 in original As Filed S.B. 187. Makes a conforming change.

Sec. 2054.262. Designated as Section 2054.263 in original As Filed S.B. 187. Makes conforming changes.

Sec. 2054.263. Designated as Section 2054.264 in original As Filed S.B. 187. Makes a conforming change.

Sec. 2054.264. Designated as Section 2054.265 in original As Filed S.B. 187. Makes conforming changes. Requires the division in the department to be designated “TexasOnline.” Omits language regarding providing personnel to the commission.

Sec. 2054.265. Designated as Section 2054.266 in original As Filed S.B. 187. Makes conforming changes.

Sec. 2054.266. Designated as Section 2054.267 in original As Filed S.B. 187. Makes a conforming change.

Sec. 2054.267. Designated as Section 2054.268 in original As Filed S.B. 187. Makes a conforming change.

SECTION 2. No changes in text.

SECTION 3. Amends As Filed S.B. 187, proposed new Sections 2054.111 and 2054.112, Chapter 2054F, Government Code, as follows:

Sec. 2054.111. Defines “authority” and omits “commission.” Makes conforming changes. Expands the list of agency services provided on the Internet. Requires an agency, if choosing not to use the project, to provide documentation to the authority that shows the services and security required by the agency. Deletes text concerning equivalent services. Authorizes a state or local government that uses the project to charge a fee if the authority approves the amount of the fee. Prohibits a local government from charging a fee that is otherwise prohibited.

Sec. 2054.112. Requires each state agency to review its requirements to determine if certain information is necessary. Requires the agency, based on this review, to perform certain functions.

SECTION 4. No changes in text.

SECTION 5. Makes conforming changes. Deletes the text “of all appointees.”

SECTION 6. Omits the effective date. Requires the authority to report on the feasibility of allowing the sale or placement of advertising on the project described by Section 2054.252, Government Code, as added by this Act, and to provide this report to certain stated persons.

SECTION 7. Provides that the effective date is upon passage or September 1, 2001.