



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Vice Chair, Rep. Lon Burnam

### LSG Floor Report For Major State Calendar – Tuesday, April 2, 2013

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 2472</b> by Rep. Cook	Relating to the continuation and functions of the Department of Information Resources and certain procurement functions of the comptroller of public accounts.	State Affairs	<p><b>HB 2472 seeks to improve the functions of the Department of Information Resources (DIR) and the Texas Procurement and Support Services Division (TPASS) per recommendations by the Sunset Advisory Commission.</b> Because both DIR and TPASS perform similar statewide procurement functions, both agencies are addressed in the same piece of legislation. DIR deals in the procurement of information technology (IT), computer hardware, and software. TPASS deals in the procurement of other commodities not related to IT.</p> <p>TPASS, known as the Comptroller's procurement division, performs statewide procurement functions for non-IT services and goods. DIR provides statewide management of government information and communications technology.</p> <p>During the 82nd Session, the Legislature approved Sunset's recommendation to continue DIR for six years, but the governor vetoed that bill. However, continuation of DIR was approved for two years via a budget bill rider, which required the Sunset Commission to re-examine DIR and make appropriate recommendations for the 83rd Legislative Session.</p> <p>This bill enacts the following Sunset recommendations:</p> <ul style="list-style-type: none"> <li>• <b>Continues DIR until 2021.</b> Without passage, DIR would be abolished Sept. 1, 2013.</li> <li>• <b>Ensures the Comptroller's ability to perform procurement functions via TPASS until 2021,</b> and requires the Sunset Advisory Commission to provide an evaluation report on the state's procurement system to the Legislature by 2021. Without passage, although TPASS is not subject to abolishment, it would be required to transfer functions to the Texas Facilities Commission on Sept. 1, 2013.</li> <li>• <b>Requires DIR and the Comptroller to develop and sustain certain committees in order to improve coordination and function.</b> A procurement coordination committee must appoint advisory members in order to improve data collection methods between DIR and TPASS. The bill also requires DIR to appoint a customer advisory committee to represent customers who receive services from key programs. The committee is to sustain communication with the board of DIR regarding departments' implementation of statewide services.</li> <li>• <b>Requires DIR to develop a process to determine the administrative fees charged for its programs and must report all fees to the</b></li> </ul>	<p><b>Favorable</b></p> <p>Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>

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<p>HB 2472 by Rep. Cook  (cont.)</p>			<p><b>Legislative Budget Board each fiscal year.</b></p> <ul style="list-style-type: none"> <li>• <b>Requires DIR to create and implement a policy encouraging the use of negotiated rulemaking procedures, resolution disputes, and certain guidelines.</b> In order to facilitate the policy, the department shall provide training as needed and collect data to evaluate the effectiveness of all procedures under the policy.</li> <li>• <b>Requires DIR to appoint an Internal Auditor and staff for the sole purpose of preparing an annual audit plan using risk assessment techniques to rank high-risk functions.</b> The auditor must submit the plan to the board for approval. DIR must also maintain an audit subcommittee of DIR board members who will be responsible for overseeing the internal auditor, auditing resources, and audit issues.</li> <li>• <b>Requires DIR to create a policy describing the board’s role in facilitating DIR’s initiatives and service providing goals.</b> The board must also evaluate the effectiveness of department operations, mission goals, and the consolidation of information resources technology using certain methodologies.</li> <li>• <b>Requires DIR to develop concrete criteria for the appropriate use of consultants and outside staff.</b> The department must annually evaluate the efficiency and effectiveness of all staff and contractors and the need for training or additional resources necessary for staff. DIR must provide the evaluation and all related requests to its board for approval.</li> <li>• <b>Requires DIR to clearly define what constitutes a major outsourced contract.</b> The Contract Advisory Team must review all solicitations of major outsourced contracts and provide recommendations for implementation. The bill specifies that the DIR must also develop a contract management guide for procuring and managing major outsourced contracts and other contracts. The bill also requires DIR to create a policy for training all appropriate staff in contract management.</li> <li>• <b>Requires DIR to use the state’s historical spending levels on particular commodities to secure the best value for the state and document each negotiation with vendors.</b></li> <li>• <b>Strengthens regulations regarding conflicts of interest for employees of the DIR</b> by way of employee training, rule-setting, and proper implementation of certain guidelines defined in the bill.</li> <li>• <b>Alters certain due dates for reporting requirements for TPASS</b> such as the Comptroller’s Semi-Annual and Annual reports on certain contracts, and the Comptroller’s HUB Education and Outreach report. The bill repeals the reporting requirement for the Comptroller’s report on Texas Correctional Industries.</li> </ul>	
			<p><b><u>Pre-Filed Amendment Analysis for HB 2472</u></b></p>	
	<p><b>Rep. Cortez</b></p>	<p>#830683</p>	<p>The bill currently requires DIR to identify opportunities for state agencies to coordinate with each other in adoption and implementation of certain projects. This amendment requires DIR to also identify opportunities for agencies to obtain any appropriate means of securing compensation for proprietary information, such as a royalties or licensing rights.</p>	<p><b><u>Favorable</u></b></p>

	<b>Rep. Cortez</b>	#830683	The bill currently requires DIR to identify opportunities for state agencies to coordinate with each other in adoption and implementation of certain projects. This amendment requires DIR to also identify opportunities for agencies to obtain any appropriate means of securing compensation for proprietary information, such as a royalties or licensing rights.	<b><u>Favorable</u></b>
	<b>Rep. Martinez Fischer</b>	#830682	Adds a section regarding specific duties and responsibilities of the Internal Auditor. Duties include: coordination with the Comptroller to determine best practices, examining conflicts of interests that may exist within the department, examining department catalog purchases and agreements, making a report to the legislature about policies and management practices, and compliance with an open government policy or recommendation.	<b><u>Favorable</u></b>

**LSG Floor Report For General State Calendar – Tuesday, April 2, 2013**

<b>HB 222</b> By Rep. Huberty	Relating to a public school student’s eligibility for a public education grant to attend another public school	Public Education	Under current law, a student’s ability to seek a public education grant to enroll in a different public school is based upon the current school’s “failure to satisfy any standard” at any time in the past three years, which is considered too vague. HB 222 clarifies statute by stating that a school must have been assigned an unacceptable performance rating, and reduces the timeline from the past <i>three</i> years to either of the past <i>two</i> years.	<b><u>Favorable</u></b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
<b>HB 424</b> By Rep. Burkett	Relating to the sex offender status of a person who becomes a resident of certain group home facilities.	Human Services	Currently, directors of group homes defined in the bill are not required to disclose to residents or residents’ guardians whether or not a future resident is on the sex offender registry. HB 424 requires directors of group homes to check the sex offender registry for future residents. If a future resident is registered as a sex offender, a director must disclose this information to each current resident or legal guardian of current residents. Because the registry does not distinguish between levels of sex offenders, there is concern that low-risk offenders and rehabilitated offenders will be subjected to potential harassment, creating a negative environment within group homes.	<b><u>Will of the House</u></b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org
<b>HB 634</b> By Rep. Farias	Relating to the verification of an inmate’s veteran status by the Texas Department of Criminal Justice	Corrections	Current law does not require the Texas Department of Criminal Justice (TDCJ) to screen or verify the veteran status of an inmate, and relies on an inmate to self-identify. Veterans who are incarcerated often suffer from mental illness or chemical dependency due to their prior service. Many service members are unaware that they suffer from any military related trauma and therefore, do not know that they may qualify for VA benefits. This bill would require the TDCJ to screen inmates for veteran status so that veteran inmates can quickly be identified and provided with the correct services to help the inmates and their families. This bill will save taxpayer dollars by redirecting inmates from state services like Medicaid to Veteran Affairs, and bringing in additional funds due to matches in funding by the federal government.	<b><u>Favorable</u></b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org
<b>HB 774</b> By Rep. Guillen	Relating to requiring certain general academic teaching institutions to offer a four-year fixed tuition price plan to undergraduate students.	Higher Education	This bill reduces the required hours for beginning the process of “reverse transfer” from 90 hours to 66 hours. “Reverse Transfer” is a process where academic credits for course work completed at a four-year university are transferred back to a community college to satisfy associate degree requirements. Lowering this threshold ensures that students who transfer from a community or junior college are properly credentialed for their work, and encourages successful transfer to four-year institutions. Currently, students who transfer to a four-year institution from a community college before earning an associate’s degree are counted	<b><u>Favorable</u></b> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org

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