

1-1 By: Nelson S.B. No. 532
 1-2 (In the Senate - Filed January 19, 2017; February 8, 2017,
 1-3 read first time and referred to Committee on Finance;
 1-4 March 6, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 13, Nays 0; March 6, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Nelson	X			
1-9 Hinojosa	X			
1-10 Bettencourt	X			
1-11 Birdwell	X			
1-12 Hancock	X			
1-13 Huffman	X			
1-14 Kolkhorst	X			
1-15 Nichols	X			
1-16 Schwertner	X			
1-17 Seliger	X			
1-18 Taylor of Galveston			X	
1-19 Uresti			X	
1-20 Watson	X			
1-21 West	X			
1-22 Whitmire	X			

1-24 COMMITTEE SUBSTITUTE FOR S.B. No. 532 By: Hinojosa

1-25 A BILL TO BE ENTITLED
 1-26 AN ACT

1-27 relating to information collected about and purchases of
 1-28 information technology by governmental entities.

1-29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-30 SECTION 1. Section 552.139(b), Government Code, is amended
 1-31 to read as follows:

1-32 (b) The following information is confidential:

1-33 (1) a computer network vulnerability report;

1-34 (2) any other assessment of the extent to which data
 1-35 processing operations, a computer, a computer program, network,
 1-36 system, or system interface, or software of a governmental body or
 1-37 of a contractor of a governmental body is vulnerable to
 1-38 unauthorized access or harm, including an assessment of the extent
 1-39 to which the governmental body's or contractor's electronically
 1-40 stored information containing sensitive or critical information is
 1-41 vulnerable to alteration, damage, erasure, or inappropriate use;
 1-42 ~~and~~

1-43 (3) a photocopy or other copy of an identification
 1-44 badge issued to an official or employee of a governmental body; and

1-45 (4) information collected, assembled, or maintained
 1-46 by or for a governmental entity to prevent, detect, or investigate a
 1-47 security incident related to computerized data.

1-48 SECTION 2. Subchapter C, Chapter 2054, Government Code, is
 1-49 amended by adding Section 2054.068 to read as follows:

1-50 Sec. 2054.068. INFORMATION TECHNOLOGY INFRASTRUCTURE
 1-51 REPORT. (a) In this section, "information technology" includes
 1-52 information resources and information resources technologies.

1-53 (b) The department shall collect from each state agency
 1-54 information on the status and condition of the agency's information
 1-55 technology infrastructure, including information regarding:

1-56 (1) the agency's information security program;

1-57 (2) an inventory of the agency's servers, mainframes,
 1-58 and other information technology equipment;

1-59 (3) identification of vendors that operate and manage
 1-60 the agency's information technology infrastructure; and

2-1 (4) any additional related information requested by
 2-2 the department.

2-3 (c) A state agency shall provide the information required by
 2-4 Subsection (b) to the department according to a schedule determined
 2-5 by the department.

2-6 (d) Not later than November 15 of each even-numbered year,
 2-7 the department shall submit to the governor, chair of the house
 2-8 appropriations committee, chair of the senate finance committee,
 2-9 speaker of the house of representatives, lieutenant governor, and
 2-10 staff of the Legislative Budget Board a consolidated report of the
 2-11 information submitted by state agencies under Subsection (b).

2-12 (e) The consolidated report required by Subsection (d)
 2-13 must:

2-14 (1) include an analysis and assessment of each state
 2-15 agency's security and operational risks; and

2-16 (2) for a state agency found to be at higher security
 2-17 and operational risks, include a detailed analysis of the
 2-18 requirements for the agency to address the risks and related
 2-19 vulnerabilities and the cost estimates to implement those
 2-20 requirements.

2-21 (f) With the exception of information that is confidential
 2-22 under Chapter 552, including Section 552.139, or other state or
 2-23 federal law, the consolidated report submitted under Subsection (d)
 2-24 is public information and must be released or made available to the
 2-25 public on request. A state agency may withhold information
 2-26 confidential under Chapter 552, including Section 552.139, or other
 2-27 state or federal law that is contained in a consolidated report
 2-28 released under this subsection without requesting a decision from
 2-29 the attorney general under Subchapter G, Chapter 552.

2-30 (g) This section does not apply to an institution of higher
 2-31 education or university system, as defined by Section 61.003,
 2-32 Education Code.

2-33 SECTION 3. Section 2054.0965(a), Government Code, is
 2-34 amended to read as follows:

2-35 (a) Not later than March 31 [~~December 1~~] of each
 2-36 even-numbered [~~odd-numbered~~] year, a state agency shall complete a
 2-37 review of the operational aspects of the agency's information
 2-38 resources deployment following instructions developed by the
 2-39 department.

2-40 SECTION 4. Section 2157.007, Government Code, is amended by
 2-41 amending Subsection (b) and adding Subsection (e) to read as
 2-42 follows:

2-43 (b) A state agency shall [~~may~~] consider cloud computing
 2-44 service options, including any cost savings associated with
 2-45 purchasing those service options from a cloud computing service
 2-46 provider and from a statewide technology center established by the
 2-47 department, when making purchases for a major information resources
 2-48 project under Section 2054.118.

2-49 (e) Not later than November 15 of each even-numbered year,
 2-50 the department, using existing resources, shall submit a report to
 2-51 the governor, lieutenant governor, and speaker of the house of
 2-52 representatives on the use of cloud computing service options by
 2-53 state agencies. The report must include use cases that provided
 2-54 cost savings and other benefits, including security
 2-55 enhancements. A state agency shall cooperate with the department
 2-56 in the creation of the report by providing timely and accurate
 2-57 information and any assistance required by the department.

2-58 SECTION 5. Section 552.139(b), Government Code, as amended
 2-59 by this Act, applies only to a request for public information
 2-60 received on or after the effective date of this Act. A request
 2-61 received before the effective date of this Act is governed by the
 2-62 law in effect when the request was received, and the former law is
 2-63 continued in effect for that purpose.

2-64 SECTION 6. This Act takes effect September 1, 2017.

2-65

* * * * *