

1-1 By: Capriglione (Senate Sponsor - Zaffirini) H.B. No. 3875
 1-2 (In the Senate - Received from the House April 29, 2019;
 1-3 April 30, 2019, read first time and referred to Committee on
 1-4 Business & Commerce; May 20, 2019, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 7,
 1-6 Nays 0; May 20, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3875 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to cloud compatibility of certain state agency information
 1-22 technology purchases.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. The heading to Section 2157.007, Government
 1-25 Code, is amended to read as follows:

1-26 Sec. 2157.007. [~~CONSIDERATION OF~~] CLOUD COMPUTING SERVICE
 1-27 [~~PURCHASE~~].

1-28 SECTION 2. Section 2157.007, Government Code, is amended by
 1-29 amending Subsections (a) and (b) and adding Subsections (b-1) and
 1-30 (b-2) to read as follows:

1-31 (a) In this section:

1-32 (1) "Cloud computing service" has the meaning assigned
 1-33 by Special Publication 800-145 issued by the United States
 1-34 Department of Commerce National Institute of Standards and
 1-35 Technology, as the definition existed on January 1, 2015.

1-36 (2) "Major information resources project" has the
 1-37 meaning assigned by Section 2054.003.

1-38 (b) Except as provided by Subsection (b-1), a [A] state
 1-39 agency shall ensure ~~[consider cloud computing service options,~~
 1-40 ~~including any security benefits and cost savings associated with~~
 1-41 ~~purchasing those service options from a cloud computing service~~
 1-42 ~~provider and from a statewide technology center established by the~~
 1-43 ~~department],~~ when making purchases for an automated information
 1-44 system or a major information resources project, that the system or
 1-45 project is capable of being deployed and run on cloud computing
 1-46 services [under Section 2054.118].

1-47 (b-1) When making a purchase for an automated information
 1-48 system or a major information resources project, a state agency may
 1-49 determine that, due to integration limitations with legacy systems,
 1-50 security risks, or costs, the agency is unable to purchase a system
 1-51 or project capable of being deployed and run on cloud computing
 1-52 services.

1-53 (b-2) At least 14 days before the date a state agency
 1-54 solicits bids, proposals, offers, or other applicable expressions
 1-55 of interest for a purchase described by Subsection (b-1), the
 1-56 agency shall submit to the Legislative Budget Board for the
 1-57 purchase of an automated information system or to the quality
 1-58 assurance team as defined by Section 2054.003 for the purchase of a
 1-59 major information resources project a report that describes the
 1-60 purchase and the agency's reasoning for making the purchase.

2-1 SECTION 3. Section 2157.007, Government Code, as amended by
2-2 this Act, applies only with respect to a purchase made by a state
2-3 agency on or after the effective date of this Act. A purchase made
2-4 before the effective date of this Act is governed by the law in
2-5 effect on the date the purchase was made, and the former law is
2-6 continued in effect for that purpose.

2-7 SECTION 4. This Act takes effect September 1, 2019.

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