

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1382
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State Affairs
4/14/1999
Committee Report (Substituted)

DIGEST

Currently, all contracts of the state or a state agency that procure an automated information system must include a specific clause requiring the system to be accessible by both visual and non-visual means. The clause, under Section 2157.005, Government Code, helps to ensure access to state automated information systems for both sighted and visually-impaired state employees by conditioning the expenditure of state funds on the system's non-visual accessibility.

However, the statute effectively prevents the state from purchasing only the technology necessary to meet the needs of the employees who are visually-impaired. According to the clause, the state must purchase specific equipment in addition to a system already obtained that meets the needs of visually-impaired employees. Furthermore, the clause does not specify whether the state may rely on a third-party provider to meet the access requirements. Therefore, the state purchases units that the vendor must sell to satisfy the equal access technology clause, regardless of costs or whether the needs of the impaired employees are already met. A new procurement clause written into the statute could address the inconsistency between the statute and the clause by requiring state funds to be expended only if blind or visually-impaired state employees have access to a full range of assistive technology resources. C.S.S.B. 1382 would amend the technology access clause in certain state contracts.

PURPOSE

As proposed, C.S.S.B. 1382 amends the technology access clause in certain state contracts.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2157.005(b), Government Code, to prohibit state funds from being expended in the purchase of an automated information system, unless the contract contains the technology access clause. Set forth the required language of the access clause. Deletes text requiring certain technology to be included in the clause. Defines "equivalent access."

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 2157.005(b), Government Code, to prohibit state funds from being expended unless the contract contains the technology access clause, rather than to require the clause as a condition for the expenditure of state funds. Redefines the proposed definition for “equivalent access.” Makes nonsubstantive changes.

SECTION 2.

Deletes a requirement that General Services Commission develop a technology access clause by a certain date.