

BILL ANALYSIS

Senate Research Center

S.B. 1382
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State Affairs
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As Filed

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. S.B. 1382 would amend the technology access clause in certain state contracts.

PURPOSE

As proposed, 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 set forth a clause, as a condition for the expenditure of state funds in the purchase of an automated information system, on certain access by visual and nonvisual users. Deletes text requiring certain technology to be included in the clause. Defines "equivalent access."

SECTION 2. (a) Effective date: September 1, 1999.

(b) Requires the General Services Commission and the Department of Information Resources to develop a technology access clause to comply with Section 2157.005, Government Code, by January 1, 2000.

(c) Makes application of this Act prospective.

SECTION 3. Emergency clause.