

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1082

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “individuals” in line 16 and substitute “requiring the Chief of Information Technology in the Department of Budget and Management, in consultation with the Information Technology Board, to develop certain performance standards for information technology in order to provide certain blind or visually impaired individuals access to certain information technology; requiring that the Chief establish certain procurement specifications and provide certain advice and technical assistance to the State and certain organizations; requiring that certain contracts or agreements include a certain technology access clause; defining certain terms; and generally relating to access to information technology by blind or visually impaired individuals”; strike in their entirety lines 17 through 22, inclusive; and strike beginning with “3-1001” in line 25 down through “Individuals” in line 26 and substitute “3-412”.

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 1 on page 2 through line 20 on page 7, inclusive, and substitute:

“Article - State Finance and Procurement

3-412.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “BLIND OR VISUALLY IMPAIRED INDIVIDUAL” MEANS AN INDIVIDUAL WHO HAS:

(Over)

(I) A VISUAL ACUITY THAT DOES NOT EXCEED 20/200 IN THE BETTER EYE WITH CORRECTING LENSES; OR

(II) A VISUAL ACUITY THAT IS GREATER THAN 20/200, BUT WITH A LIMITATION IN THE FIELDS OF VISION SUCH THAT THE WIDEST DIAMETER OF THE VISUAL FIELD SUBTENDS AN ANGLE NO GREATER THAN 20 DEGREES.

(3) “NONVISUAL ACCESS” MEANS THE ABILITY, THROUGH KEYBOARD CONTROL, SYNTHESIZED SPEECH, BRAILLE, OR OTHER METHODS NOT REQUIRING SIGHT, TO RECEIVE, USE, AND MANIPULATE INFORMATION AND OPERATE CONTROLS NECESSARY TO ACCESS INFORMATION TECHNOLOGY.

(4) “STATE-ASSISTED ORGANIZATION” MEANS A COLLEGE, NONPROFIT ORGANIZATION, PERSON, POLITICAL SUBDIVISION, SCHOOL SYSTEM, OR OTHER ENTITY, THAT PROVIDES GOODS OR SERVICES TO THE STATE UNDER A PROCUREMENT CONTRACT.

(B) THE CHIEF, IN CONSULTATION WITH THE BOARD, SHALL:

(1) ESTABLISH NONVISUAL ACCESS PERFORMANCE STANDARDS FOR PROVIDING ACCESS TO INFORMATION TECHNOLOGY FOR BLIND OR VISUALLY IMPAIRED INDIVIDUALS EQUIVALENT TO ACCESS PROVIDED FOR INDIVIDUALS WHO ARE NOT BLIND OR VISUALLY IMPAIRED;

(2) DEVELOP A TECHNOLOGY ACCESS CLAUSE THAT:

(I) SHALL BE INCLUDED IN ANY CONTRACT OR AGREEMENT ENTERED INTO BY THE STATE OR A STATE-ASSISTED ORGANIZATION FOR THE PURCHASE OF INFORMATION TECHNOLOGY; AND

(II) IMPLEMENTS THE NONVISUAL ACCESS PERFORMANCE STANDARDS;

(3) INFORM THE HEADS OF STATE-ASSISTED ORGANIZATIONS THAT THE TECHNOLOGY ACCESS CLAUSE APPLIES TO PROCUREMENT OF ANY INFORMATION TECHNOLOGY IF THE INFORMATION TECHNOLOGY IS PURCHASED, IN WHOLE OR IN PART, WITH STATE FUNDS;

(4) ESTABLISH PROCUREMENT SPECIFICATIONS, FOR NONVISUAL ACCESS, BASED ON THE PERFORMANCE STANDARDS; AND

(5) PROVIDE ADVICE AND TECHNICAL ASSISTANCE, INCLUDING REFERRAL TO APPROPRIATE RESOURCES, PERTAINING TO NONVISUAL ACCESS TO INFORMATION TECHNOLOGY.

(C) THE PERFORMANCE STANDARDS ESTABLISHED PURSUANT TO SUBSECTION (B)(1) OF THIS SECTION SHALL INCLUDE NECESSARY SPECIFICATIONS BY THE CHIEF AND THE BOARD, INCLUDING THE FOLLOWING MINIMUM SPECIFICATIONS:

(1) THAT EFFECTIVE, INTERACTIVE CONTROL AND USE OF TECHNOLOGY, INCLUDING OPERATING SYSTEMS, APPLICATIONS PROGRAMS, AND THE FORMAT OF THE DATA PRESENTED, IS ACHIEVABLE BY NONVISUAL MEANS;

(2) THAT TECHNOLOGY EQUIPPED FOR NONVISUAL ACCESS MUST BE COMPATIBLE WITH INFORMATION TECHNOLOGY USED BY OTHER INDIVIDUALS WITH WHOM THE BLIND OR VISUALLY IMPAIRED INDIVIDUALS INTERACT;

(3) THAT NONVISUAL ACCESS TECHNOLOGY MUST BE INTEGRATED INTO NETWORKS USED FOR COMMUNICATIONS AMONG EMPLOYEES, PROGRAM PARTICIPANTS, AND THE PUBLIC; AND

(4) THAT THE TECHNOLOGY FOR NONVISUAL ACCESS MUST HAVE THE CAPABILITY OF PROVIDING EQUIVALENT ACCESS BY NONVISUAL MEANS TO TELECOMMUNICATIONS OR OTHER INTERCONNECTED NETWORK SERVICES USED BY PERSONS WHO ARE NOT BLIND OR VISUALLY IMPAIRED.

(D) (1) THIS SUBTITLE MAY NOT BE CONSTRUED TO REQUIRE A GREATER DEGREE OF ACCESS TO INFORMATION TECHNOLOGY FOR BLIND OR VISUALLY IMPAIRED INDIVIDUALS THAN THE ACCESS PROVIDED TO A PERSON WHO IS NOT BLIND OR VISUALLY IMPAIRED, NOTWITHSTANDING THAT THE TECHNOLOGY USED

FOR ACCESS TO INFORMATION BY BLIND AND VISUALLY IMPAIRED INDIVIDUALS
MAY BE DIFFERENT FROM THE TECHNOLOGY USED BY INDIVIDUALS THAT ARE NOT
BLIND OR VISUALLY IMPAIRED.

(2) NOTHING IN THIS SUBTITLE REQUIRES NONVISUAL ACCESS TO
INFORMATION TECHNOLOGY BY INDIVIDUALS WHO ARE NOT BLIND OR VISUALLY
IMPAIRED.”.

AMENDMENT NO. 3

On page 7, strike beginning with “That” in line 21 down through “ENACTED,” in line 27.