

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 240 (Senator Conway, *et al.*)

Economic & Environmental Affairs

and Budget & Taxation

Ref. to Commerce & Government Matters

State Procurement - Information Technology - Nonvisual Access

This bill requires the Chief of Information Technology in the Department of Budget and Management and the Information Technology Board to develop a nonvisual access clause for use in the procurement of information technology. The clause must specify that the technology: (1) must provide equivalent access for effective use by both visual and nonvisual means; (2) will present information in formats intended for both visual and nonvisual use; (3) can be integrated into networks for obtaining, retrieving, and disseminating information used by individuals who are not blind or visually impaired; and (4) must be obtained, whenever possible, without modification for compatibility with software and hardware for nonvisual access. "Nonvisual access" is defined as the ability, through keyboard control, synthesized speech, braille, or other methods not requiring sight, to retrieve, use, and manipulate information, and operate controls necessary to access information technology.

The nonvisual access clause must be included in each invitation for bids or request for proposals unless the information technology is not available with nonvisual access because the essential elements of the information technology are visual and nonvisual equivalence cannot be developed or if the cost of modifying the information technology for compatibility with software and hardware for nonvisual access would increase the price of the procurement by more than 5%.

This bill applies to each invitation for bids and request for proposals issued after December 31, 1998 for award under a State procurement contract for purchase of new or upgraded information technology.

Fiscal Summary

State Effect: Indeterminate effect on expenditures. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

Background: The federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 require states to be free from discrimination on the basis of disability in conducting their programs. In addition, former Governor Schaefer signed a Statement of Assurance in 1992 that stated that electronic office equipment procured by the State must be accessible, or capable of being made accessible, to persons with disabilities.

State Expenditures: Initial expenditures for information technology could increase by up to 5%. For illustrative purposes, the Department of Budget and Management advises that the State information technology budget allowance for fiscal 1999 is \$468 million, which includes funds for hardware, programming, mainframes, and the Year 2000 Problem. About \$30 million of that amount is for software.

It is assumed that any actual expenditure increase would be significantly less than 5% of procurement costs because for some procurements: (1) no additional expense would be necessary to meet the requirements; (2) additional expenses in an amount less than 5% would meet the requirements; or (3) the nonvisual access clause could be excluded because the information technology is not available with nonvisual access. Further, any increase in expenditures could be offset to the extent that the inclusion of the nonvisual access clause results in a decrease in State expenditures to retro-fit equipment that is not accessible. Thus, the net impact on expenditures cannot be reliably estimated at this time.

Information Source(s): Department of Budget and Management, Department of General Services, Board of Public Works, Comptroller of the Treasury (Data Processing Division), Office for Individuals with Disabilities, National Federation of the Blind, Department of Legislative Services

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