

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

House Bill 592 (Delegate Benson. *et al.*)

Commerce and Government Matters

State Procurement - Information Technology - Nonvisual Access

This bill requires the Chief of Information Technology (CIT) to adopt and enforce nonvisual access standards to be used in the procurement of information technology (IT) equipment and services by units of State government. The standards must be adopted by January 1, 2003. It also requires that the nonvisual access clause, prepared by the CIT and the Information Technology Board (ITB) for use in IT procurement bids, include bids for IT services. The bill also broadens the use of the clause, requiring it in invitations for bids and requests for proposals without regard to the procurement method used. Current law allows the clause to be excluded in specified situations, but the bill provides that all solicitations at least include a statement that IT equipment and services must be obtained, whenever possible, without modification for compatibility with nonvisual access equipment. Finally, the bill requires the Secretary of the Department of Budget and Management (DBM) to set standards for electronic equipment used by State employees or the public for communications that are consistent with the standards for nonvisual access.

Fiscal Summary

State Effect: State expenditures for procurement of IT equipment and services could increase beginning in FY 2003, depending largely on the regulations established by the CIT. Regulations could be written with existing resources.

Local Effect: None. Nonvisual access regulations would not apply to units of local government.

Small Business Effect: Potential meaningful.

Analysis

Current Law: The CIT and the ITB are charged with developing a nonvisual access clause for use in the procurement of IT hardware and software. The clause must specify that the procured IT: (1) must provide equivalent access for visual and nonvisual use; (2) will present information in formats intended for visual and nonvisual use; (3) can be integrated into networks used by individuals who are not blind; and (4) shall be obtained without modification for compatibility with software and hardware for nonvisual access. The clause must be included in all procurement solicitations unless: (1) the procurement is for less than \$25,000; (2) a sole source will be used in the procurement; (3) nonvisual access will increase procurement costs by more than 5%; or (4) the technology is not available for nonvisual access. Regulations have not been written or adopted to further nonvisual access in State procurement.

Background: “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 control necessary to access IT. “Information technology services” are defined in the bill as information provided by electronic means by or on behalf of a unit of State government. These services encompass web sites and databases established by the State for public use. As Maryland makes a push to provide more information through the Internet and through public databases, the Maryland office of the National Federation of the Blind seeks to ensure that blind individuals will have the same access to the information that others have.

State Fiscal Effect: Simply including a nonvisual access clause in additional invitations for bids and proposals has not significantly impacted the procurement costs for IT equipment and would likely affect procurement for IT services even less. The effect of the bill would rest greatly with the regulations established by the CIT. The regulations could, for example, require the procurement of IT hardware, software, and services with nonvisual access, so long as the costs are within 5% of the cost without nonvisual access. According to DBM, the Governor’s proposed 2001 budget includes \$569 million to purchase, upgrade, and update IT hardware and software. If these costs were to increase by 5%, the State would spend an additional \$28.5 million.

State costs for IT services are much lower than for equipment. Although State totals were not immediately available, DBM advises that it paid approximately \$24,000 to contractors to develop, maintain, and alter its web sites and databases. As with IT equipment, these costs could increase depending on the scope of the adopted regulations.

Small Business Effect: If the bill’s provisions result in additional attention to and interest in nonvisual access technologies, small IT businesses focusing on the technologies could benefit. The impact could be even greater if the State mandates through regulations the

acquisition of IT equipment and services with nonvisual access.

Additional Information

Prior Introductions: None.

Cross File: SB 607 (Senator Conway, *et al.*) - Economic and Environmental Affairs.

Information Source(s): Department of Budget and Management, Department of General Services, Department of Health and Mental Hygiene, Department of Legislative Services

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