

SENATE BILL 240

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2003 Regular Session
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CF 3r1841

By: **Senators Conway, Astle, Britt, Colburn, Currie, Della, Dyson, Exum, Forehand, Frosh, Gladden, Green, Haines, Hollinger, Hooper, Hughes, Jacobs, Jimeno, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, McFadden, Pinsky, Schrader, Stone, and Teitelbaum**

Introduced and read first time: January 29, 2003
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: March 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **State Department of Education - Division of Library Development and**
3 **Services - Distribution of Accessible Information to Disabled Individuals**

4 FOR the purpose of requiring the Department of Budget and Management, in
5 consultation with the Governor's Office for Individuals with Disabilities, to
6 establish and administer a program relating to the reimbursement of certain
7 costs; requiring the Department, in consultation with the Governor's Advisory
8 Board for Telecommunications Relay and the Governor's Office for Individuals
9 with Disabilities to enter a certain agreement with the State Department of
10 Education, Division of Library Development and Services, providing for a
11 certain payment to be made relating to the distribution of accessible
12 information; requiring the Division to provide certain individuals certain access
13 to an audio news and information service; amending a certain subtitle; defining
14 certain terms; and generally relating to the distribution of accessible
15 information to disabled individuals.

16 BY repealing and reenacting, with amendments,
17 Article - State Finance and Procurement
18 Section 3-901 and 3-902(a) to be under the amended subtitle "Subtitle 9.
19 Telecommunications Devices and Distribution of Accessible Information for
20 Disabled Individuals"
21 Annotated Code of Maryland
22 (2001 Replacement Volume and 2002 Supplement)

23 BY adding to

1 Article - State Finance and Procurement
2 Section 3-906
3 Annotated Code of Maryland
4 (2001 Replacement Volume and 2002 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - State Finance and Procurement**

8 Subtitle 9. Telecommunications Devices AND DISTRIBUTION OF ACCESSIBLE
9 INFORMATION for Disabled Individuals.

10 3-901.

11 (a) In this subtitle the following words have the meanings indicated.

12 (b) "Board" means the Governor's Advisory Board for Telecommunications
13 Relay as defined under § 3-801 of this title.

14 (c) "DISTRIBUTION OF ACCESSIBLE INFORMATION" MEANS COMPUTERIZED
15 AUDIO INFORMATION, INCLUDING NEWSPAPERS, PROVIDED TO PERSONS ELIGIBLE
16 FOR SERVICE FROM THE MARYLAND STATE LIBRARY FOR THE BLIND AND
17 PHYSICALLY HANDICAPPED.

18 (D) "Program" means the program developed and administered by the
19 Department in consultation with the Board and the Governor's Office for Individuals
20 with Disabilities to provide financial assistance for the purchase of specialized
21 customer premises equipment (SCPE) by eligible program participants.

22 [(d)] (E) "Program participant" means a person who:

23 (1) is a resident of the State;

24 (2) is certified by a licensed professional as having a disability which
25 seriously limits or prohibits the use of the basic telephone network without
26 specialized customer premises equipment;

27 (3) is certified by a licensed professional as being able to use specialized
28 customer premises equipment for which application is made;

29 (4) meets the financial eligibility requirements established by the
30 Governor's Office for Individuals with Disabilities as a recipient of:

31 (i) Transitional Emergency Medical and Housing Assistance
32 (TEMHA);

33 (ii) Supplemental Security Income (SSI); or

34 (iii) Aid to Families with Dependent Children (AFDC); and

1 (5) at the time of application is not receiving similar services which are
2 available and can be provided in a timely manner through another program.

3 (F) "QUALIFIED ENTITY" MEANS A NONPROFIT ORGANIZATION WHICH:

4 (I) PRODUCES AUDIO EDITIONS OF DAILY NEWSPAPERS,
5 AVAILABLE FOR INTERSTATE DISTRIBUTION USING HIGH-SPEED COMPUTER AND
6 TELECOMMUNICATIONS TECHNOLOGY; AND

7 (II) PROVIDES A MEANS OF PROGRAM ADMINISTRATION AND
8 READER REGISTRATION ON THE INTERNET.

9 [(e)] (G) "Specialized customer premises equipment" or "equipment" means
10 any communications devices designed to assist program participants in using the
11 basic telephone network.

12 [(f)] (H) "System" means the method which the Department shall use to
13 provide financial assistance to eligible program participants for the purchase of the
14 equipment.

15 3-902.

16 (a) The Department in consultation with the Board and the Governor's Office
17 for Individuals with Disabilities shall establish and administer a program to assist
18 eligible program participants to purchase specialized customer premises equipment
19 AND FOR REIMBURSEMENT OF COSTS UNDER § 3-906 OF THIS SUBTITLE in
20 accordance with § 3-807 of this title and the State budget.

21 3-906.

22 (A) THE DEPARTMENT IN CONSULTATION WITH THE BOARD AND THE
23 GOVERNOR'S OFFICE FOR INDIVIDUALS WITH DISABILITIES SHALL ENTER INTO AN
24 AGREEMENT WITH THE STATE DEPARTMENT OF EDUCATION, DIVISION OF LIBRARY
25 DEVELOPMENT AND SERVICES, PROVIDING FOR AN ANNUAL PAYMENT TO BE MADE
26 TO THE DIVISION IN AN AMOUNT EQUAL TO THE COST INCURRED FOR THE
27 DISTRIBUTION OF ACCESSIBLE INFORMATION.

28 (B) UNDER THE AGREEMENT THE DIVISION SHALL PROVIDE ELIGIBLE BLIND
29 AND DISABLED INDIVIDUALS WITH ACCESS TO AN AUDIO NEWS AND INFORMATION
30 SERVICE PRODUCED BY A QUALIFIED ENTITY.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2003.

