

BILL ANALYSIS

C.S.H.B. 2819
By: Rose
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texans with disabilities are increasingly using technology to communicate with and access information from the State. Of any demographic group, people with disabilities have perhaps the highest “upside” from using technology. Increasing trends known as self-determination have people with disabilities doing more for themselves rather than relying on assistants.

As proposed, CSHB 2819 would bring Texas into line with Federal Section 508 standards for accessibility of websites and telecommunications. Any federal agency purchasing electronic and information technology requires their vendors to ensure compliance with the 508 standards. Several states have adopted 508 standards by reference. CSHB 2819 would create consistency by having the same accessibility standards as federal agencies, other states, and even within different Texas state agencies. The bill exempts compliance if an undue burden results.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Information Resources in SECTION 1 (Chapter 2054, Government Code) of this bill.

ANALYSIS

Amends Chapter 2054 of the Government Code and establishes that state standards for electronic accessibility conform to Federal Section 508 standards. Also allows the State to provide information to persons with disabilities by an alternative method if compliance with Section 508 creates an undue burden. Does not require installation of accessibility technology at the workstation of an employee without disabilities, who does not interact with members of the public with disabilities. Identifies the Texas Department of Information Resources as the agency for oversight, monitoring and technical assistance regarding this law. Requires the Department of Information Resources shall adopt the rules required by this Act not later than March 1, 2006.

Repeals Section 2157.005, Government Code and applies only to a contract entered into on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in effect when the contract was entered into, and the former law is continued in effect for that purpose.

Repeals Section 2001.007 (c), Government Code, effective September 1, 2006.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The CSSHB 2819 differs from the original by clarifying the role of the Texas Department of Information Resources to fit within its existing procedures for technology compliance and by conforming the bill to legislative council style.