

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 29, 2005

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2819 by Rose (Relating to accessible electronic and information technology for persons with disabilities.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2819, As Introduced: a negative impact of (\$512,666) through the biennium ending August 31, 2007.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	(\$256,333)
2007	(\$256,333)
2008	(\$256,333)
2009	(\$256,333)
2010	(\$256,333)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2005
2006	(\$256,333)	3.0
2007	(\$256,333)	3.0
2008	(\$256,333)	3.0
2009	(\$256,333)	3.0
2010	(\$256,333)	3.0

Fiscal Analysis

The bill requires state agencies to ensure that state employees and members of the public with disabilities have access to and use of information and data that is comparable to the access and use by state employees and members of the public without disabilities.

Methodology

The bill provides that agencies provide comparable access unless an undue burden would be imposed on the agency, therefore, no significant fiscal impact is anticipated.

The bill requires state agencies to develop, procure, maintain and use accessible electronic and information technology that conforms to the applicable provisions of Section 508 of the federal Rehabilitation Act regarding accessibility of electronic and information technology for people with disabilities. If compliance with the provisions of this bill imposes an undue burden, agencies are

required to provide individuals with disabilities with the timely acquisition of information and data involved by an alternative method of access. Therefore, no significant fiscal impact is anticipated for this provision.

The bill requires the Department of Information Resources (DIR) to administer, provide oversight, monitoring, training, technical assistance and resolution of complaints regarding the implementation of this law. The bill requires DIR to create administrative rules and evaluation criteria for the development, procurement, maintenance, and use of accessible electronic and information technology and the development and monitoring of accessible websites. In addition, these rules must address, emerging technologies, annual state agency reporting requirements, state exemptions, processes for determining and claiming undue burden, complaint procedures, agency website and procurement accessibility policy, commercial nonavailability and technical assistance/training. In order to assist all state agencies and higher education institutions in complying with this bill, DIR would require an attorney with expertise in disability law (salary of \$85,350 per fiscal year), a systems analyst with expertise in assistive technologies (\$66,546 per fiscal year), and a training specialist (\$45,678 per fiscal year). Including benefits, the addition of these 3 FTEs results in a cost of \$256,333 per fiscal year.

Technology

State agencies affected by the implementation of the provisions of this bill would purchase or develop assistive devices and accessibility-related software, unless it would create an undue burden on the agency.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 313 Department of Information Resources, 539 Department of Aging and Disability Services

LBB Staff: JOB, SR, MS, SMi