



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1479

PRINTER'S NO. 1665

PRIME SPONSOR: Markosek

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY: HB 1479 PN 1665 creates duties for the Office of Information Technology within the Office of Administration to promote accessible digital content for Pennsylvanians with disabilities. The bill takes effect in sixty (60) days.

ANALYSIS:

The bill requires the chief information officer of the commonwealth to do the following:

- Maintain accessibility standards for individuals with a disability for information technology systems employed by public entities
- Promote and monitor accessibility standards for individuals with a disability in the state's information technology infrastructure, including architecture
- Comply with accessibility standards established by the Americans with Disabilities Act when creating or promulgating any online content and materials
- Consult with agencies and municipalities and representatives of individuals with disabilities in developing and maintaining accessibility standards for individuals with a disability
- Develop accessibility standards for individuals with a disability using guidelines developed by international standards organizations that maintain specifications for the internet (e.g., the W3C Web Accessibility Initiative)
 - The Office of Information Technology (OIT) may revise accessibility standards based on updates to the guidelines and publish the changes to the standards in the Pennsylvania Bulletin.

Public entities, defined as executive agencies, boards, commissions, authorities, other agencies and municipalities, must develop a written plan, including proposed budget requests needed, to implement accessibility standards. By July 1, 2024, they must submit the plan to OIT, which shall review the plan and establish an implementation methodology. Public entities must fully implement the plan by July 1, 2026.

OIT shall approve minimum standards for procurement of adaptive technologies for nonvisual or other disability access use. Because these standards apply to procurement for private entities as defined by the bill, they will extend to and govern procurement by local municipalities. The standards will apply to replacement or upgrades of existing IT equipment or software.

Nothing within the bill shall require the installation of accessibility software or devices by individuals without a disability. However, the bill also requires that applications, programs, underlying operating systems and data formats used to present information must allow and be compatible with software and peripheral devices that provide accessibility for individuals with disabilities.

FISCAL IMPACT:

The accessibility standard provisions of the bill could be read that OIT should both develop new standards and adopt existing standards, compliant with the Americans with Disabilities Act and the W3C Web Accessibility Initiative or the international accessibility guidelines working group. Based on the portion of the bill that gives the Office the authority to revise standards based on changes to the guidelines developed by the international experts, it is most likely that OIT will adopt standards that essentially mirror the guidelines. This process could be accomplished with existing staff resources within the office.

The bill requires OIT to review written plans and work with public entities to establish an implementation methodology to make information and systems equally accessible. While the office would be able to handle this responsibility for commonwealth agencies, as it already coordinates IT policies, the bill also requires local municipalities to submit plans for review. According to data maintained by the Department of Community and Economic Development, there are 2,627 counties and municipalities. The range of information and services provided digitally varies significantly across municipalities, so the complexity of plans and implementation strategies (and the ability of municipalities to implement) will vary as well. The bill sets a short deadline of July 1, 2026, for all public entities including to fully implement the plan to make IT resources accessible.

To provide technical review of the municipal plans within a short timeframe to allow them to begin work on implementing the plans by July 1, 2026, OIT would likely need to draw on short-term staff augmentations. The Commonwealth’s IT staff augmentation contract is aligned to comparable compensation for commonwealth employees. This fiscal note assumes that to complete this work within six months would require the equivalent of six Business Analyst 2 positions, two Business Analyst 3 positions and two Administrative Assistant 1 positions to process the plans and responses to municipalities.

The bill anticipates that OIT staff would “work collaboratively” with municipalities to review and establish implementation methodologies. This likely entails some measure of technical support and feedback after the reviews are complete. However, once the implementation is underway, OIT’s role will scale back. Based on this timeframe, this fiscal note assumes 9 months of work for some positions, and ongoing costs for others.

	Number of Positions	Salary, Benefits and Overhead
<u>Ongoing Positions</u>		
Business Analyst 3	1	\$110,900
Administrative Assistant 1	1	\$67,300
	Subtotal	\$178,200
<u>Nine Month Positions</u>		
Business Analyst 2	6	\$427,300
Business Analyst 3	1	\$83,200
Administrative Assistant 1	1	\$50,500
	Subtotal	\$561,000
Total Costs		\$739,200

Assuming that total costs fall in 2024/25 fiscal year to coincide with the start of the review process, the bill could cost approximately \$739,200, with \$178,200 in ongoing staff costs until the plans are implemented.

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House Appropriations Committee (D)

DATE: October 3, 2023

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.