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ORIGINAL

Bill Number:HB2541-H2Patron:TranBill Title:Information Technology Access Act; digital accessibility.

Bill Summary: Makes numerous organizational changes to the Information Technology Access Act. The bill defines "information and communications technology" as it relates to digital accessibility, defined in the bill, for all persons with disabilities. The bill permits the head of each covered entity, defined in the bill, to designate an employee to serve as such covered entity's digital accessibility coordinator and provides that such digital accessibility coordinator is responsible for developing and implementing such covered entity's digital accessibility policy. The bill has delayed effective dates of April 24, 2026, and April 26, 2027, for specific covered entities according to population size.

Budget Amendment Necessary:YesItems Impacted:81Explanation:The Virginia Information Technologies Agency (VITA) expects this legislation to create a fiscal
impact for their agency.

Fiscal Summary: As described in the summary above, this legislation makes numerous changes to the Information Technology Access Act (the Act). The bill modifies the scope of the Act from applying to primarily individuals who are blind or visually impaired to all persons with disabilities. To the extent that the change in scope is broader than existing requirements under state or federal law, state agencies will likely incur costs to update their information and communications technology (ICT) to conform with the bill. The fiscal impact of these provisions is indeterminate.

The bill includes a requirement for a technology access clause that will require a vendor to certify that the procured product conforms with accessibility. If the vendor cannot certify conformance than the covered entity may require a vendor-paid and provided Accessibility Conformance Report indicating the level of conformance with accessibility for the ICT being procured or acquired by the covered entity. Any areas of nonconformance shall be documented with a vendor-paid and provided Vendor Accessibility Roadmap highlighting areas of improved accessibility, including a timeline for each nonconforming area's completion. To the extent that some vendors may not wish to accept such conditions, the pool of available bidders for ICT procurements may be affected, which may affect the ultimate price of procurements. The fiscal impact of these provisions is indeterminate.

The head of each covered entity has the option to designate an employee as the entity's digital accessibility coordinator. Some agencies may be able to designate an existing employee to fulfill that role, but other agencies may require additional resources to hire additional staff. Agencies that opt to hire additional staff to fulfill this role will have to absorb the cost within existing appropriations or request additional appropriation via the budget process in the future.

Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

If the scope of these new requirements extends beyond the federal requirements that will take effect starting January 2026, it would create additional responsibilities for VITA. VITA would need to add two classified positions and one contractor role to serve as accessibility subject matter experts in the enterprise architecture and supply chain management (procurement) functions in the first year, to develop and handle accessibility matters, such as the required Accessibility Conformance Report and the tracking dashboard to govern and manage completion of the ACR nonconformance items from vendors. In addition to the new procurement vendor interactions and technology reviews that the bill provides for, these staff would handle necessary document remediation and other compliance work. Additionally, there is a significant software cost that is not included in this FIS as it was included in a VITA decision package that was approved for inclusion in the Governor's introduced budget.

| Agency | FY2025 | FY2026 | <u>FY2027</u> | <u>FY2028</u> | <u>FY2029</u> | <u>FY2030</u> |
|----------------|--------|-----------|---------------|---------------|---------------|---------------|
| VITA | \$0 | \$600,000 | \$600,000 | \$400,000 | \$400,000 | \$400,000 |
| | | | | | | |
| TOTAL | \$0 | \$600,000 | \$600,000 | \$400,000 | \$400,000 | \$400,000 |
| | | | | | | |
| Position Impac | :t: | | | | | |
| Agency | FY2025 | FY2026 | FY2027 | FY2028 | FY2029 | <u>FY2030</u> |
| VITA | 0 | 2 | 2 | 2 | 2 | 2 |
| | | | | | | |
| TOTAL | 0 | 2 | 2 | 2 | 2 | 2 |

General Fund Expenditure Impact:

Fiscal Analysis: The two classified positions will have salaries and benefits totaling to \$200,000. The average cost of a contractor is \$200,000 annually. Following the FY27, the staffing need would go from three resources to two resources, with the need for the contractor going away.

Other: None