
Government Operations & Elections Committee

SSB 5381

Brief Description: Limiting use of cellular devices by state employees.

Sponsors: Senate Committee on Governmental Operations (originally sponsored by Senators Benton and Padden).

Brief Summary of Substitute Bill

- Requires state agencies to evaluate the financial benefit of using prepaid cellular devices and service plans.
- Authorizes an agency to issue a cellular device to an employee only if the employee is an elected official or other job requirements demonstrate that the device is necessary.
- Requires the Office of the Chief Information Officer (OCIO) to develop a statewide policy addressing the efficient assignment, use, and management of cellular devices.
- Authorizes the Treasurer to disburse payments for prepaid cellular devices and service plans.

Hearing Date: 3/28/13

Staff: Jasmine Vasavada (786-7301).

Background:

In 2011 the Legislature created the Office of the Chief Information Officer (OCIO) within the Office of Financial Management. Among other duties, the Chief Information Officer is tasked with establishing standards and policies for the consistent and efficient operation of information technology throughout state government. This includes developing statewide policies governing the acquisition and disposition of equipment, which is defined to include telephones and wireless communications system facilities.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

OCIO issued a Cellular Device Policy with the purpose of ensuring efficient assignment, use, and management of cell phones and related devices, effective June 26, 2012. Under this policy, state-provided cellular devices may be issued based on one or more of the following job requirements:

- the employee's job requires field work or travel where landline phones are inaccessible or inefficient;
- the employee's job requires immediate or on-call availability;
- the employee needs a cellular device for work-related safety, security, or other emergency reasons;
- the employee's job requires real-time communication, including email; or
- other requirements as defined and documented by the agency.

The Department of Enterprise Services establishes a state master contract for the purchase of wireless devices and services, including cellular telephones. Executive branch state agencies that are purchasing wireless devices or services must make such purchases through the state master contract, unless the state agency provides to the OCIO evidence that the state agency is securing its wireless devices or services from another source for a lower cost than through participation in the state master contract. Washington State participates in the Western States Contracting Alliance, which allows the state to cooperatively purchase wireless devices and service plans at a discount from retail pricing and to pool the minutes of large groups of users.

The Performance Audits of Government Act, enacted by Initiative Measure 900 in 2005, requires that an agency authenticate and certify to the treasurer that services have been rendered or materials have been furnished before the Washington State Treasurer can disburse public funds.

Summary of Bill:

State agencies must evaluate the financial benefit of using prepaid cellular devices and service plans.

A state agency or department is prohibited from issuing a cellular device to an employee unless at least one of the following requirements applies:

- the employee's job requires work or travel where landline phones are inaccessible or inefficient;
- the employee's job requires immediate or on-call availability or real-time communication;
- a cellular device is necessary for work-related safety, security, or other emergency reasons;
- the employee is an elected official; or
- other defined and documented requirements demonstrate a business need for the cellular device.

The Office of the Chief Information Officer (OCIO) must develop a statewide policy addressing the efficient assignment, use, and management of cellular devices. The Washington State Treasurer is authorized to disburse payments for prepaid cellular devices and service plans, if the purchase is part of a strategy to reduce the cost for the use of cellular devices with an agency or department.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.