

HOUSE BILL REPORT

SSB 5381

As Reported by House Committee On:
Government Operations & Elections

Title: An act relating to cellular device use by state employees.

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

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

Brief History:

Committee Activity:

Government Operations & Elections: 3/28/13, 4/3/13 [DP].

Brief Summary of Substitute Bill

- Requires state agencies to evaluate the financial benefit of using prepaid cellular devices and service plans.
- Prohibits a state agency or department from issuing a cellular device to an employee unless certain job requirements apply or the employee is an elected official.
- Requires the Office of the Chief Information Officer to develop a statewide policy addressing the efficient assignment, use, and management of cellular devices.
- Authorizes the Washington State Treasurer to disburse payments for prepaid cellular devices and service plans.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass. Signed by 10 members: Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander, Carlyle, Fitzgibbon, Manweller, Orwall and Van De Wege.

Staff: Jasmine Vasavada (786-7301).

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.

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.

The 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 electronic mail; or
- other requirements as defined and documented by the state 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 a state agency provides to the OCIO evidence that a 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 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 Washington State Treasurer (Treasurer) that services have been rendered or materials have been furnished before the 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.

Staff Summary of Public Testimony:

(In support) Substitute Senate Bill 5381 addresses two important policies. The first is the efficient and active management of the use of cellular devices by state employees. There has been a significant amount of effort by state agencies to scrub how cellular devices are being deployed, resulting in significant savings. The second is that we are using cellular devices in different ways. The Department of Agriculture is using smart phones out in the field for pest inspections and hops sampling. The Department of Fish and Wildlife uses cellular devices out in the field for their hydraulic permit management system and other types of field data collection. The Department of Transportation uses cellular devices in their roadside features inventory. So these cellular devices are being used by agencies to more efficiently get the job done, and are not merely used for staying in touch with the office. This bill allows agencies the flexibility they need to continue using evolving technology in more efficient ways. The use of prepaid cellular phones in most circumstances is not currently beneficial to the state; however, in the future the pricing model may shift, so the ability to have the State Treasurer allow agencies to purchase prepaid cellular phones may be useful in the future.

(Opposed) None.

Persons Testifying: Jill Satran, Office of the Chief Information Officer.

Persons Signed In To Testify But Not Testifying: None.