

# SENATE BILL REPORT

## SB 5381

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As Reported by Senate Committee On:  
Governmental Operations, February 11, 2013

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

**Brief Description:** Concerning cellular telephone use by state employees.

**Sponsors:** Senators Benton and Padden.

**Brief History:**

**Committee Activity:** Governmental Operations: 2/07/13, 2/11/13 [DPS].

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### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Majority Report:** That Substitute Senate Bill No. 5381 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Braun, Conway, Hasegawa, Ranking Member; Rivers.

**Staff:** Samuel Brown (786-7470)

**Background:** The Office of the Chief Information Officer (OCIO) was created within the Office of Financial Management by the Legislature in 2011. Among the duties of the Chief Information Officer is the establishment of standards and policies for the consistent and efficient operation of information technology services throughout state government. One specific duty of the Chief Information Officer is to establish a state master contract for the purchase of wireless devices and services, including cellular telephones.

The state Budget and Accounting Act prohibits agencies from paying for goods or services prior to the receipt of the goods or services.

**Summary of Bill (Recommended Substitute):** State agencies must evaluate the financial benefit of using prepaid cellular devices and service plans. OCIO must develop a cellular management and use policy.

A state agency may only issue a cellular device to an employee if:

- the employee's job requires work or travel where landline phones are inaccessible or inefficient;

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- the employee's job requires immediate or on-call availability or real-time communication;
- a cellular device is necessary for safety reasons;
- the employee is an elected official; or
- other defined and documented requirements demonstrate a business need for the cellular device.

**EFFECT OF CHANGES MADE BY GOVERNMENTAL OPERATIONS COMMITTEE (Recommended Substitute):** References to the term cellular telephones are replaced with the term cellular devices. The requirement that OCIO contract with an optimization specialist is removed. Agencies must evaluate using prepaid services and devices. Agencies are also permitted to issue cellular devices to employees when: (1) the employee's job requires fieldwork or travel where land lines are inaccessible or inefficient; (2) the employee's job requires immediate or on-call availability; (3) the employee's job requires real-time communication, including e-mail; or (4) other requirements defined and documented by the agency demonstrate the need for the cellular device. OCIO must develop a cellular management and use policy.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: We have had significant changes already. There has been over \$1.6 million saved in implementing some of these suggestions. We just need some fine-tuning to give agencies even more tools to save taxpayers money.

OTHER: We support the accountable, efficient use of technology given the limited funds in the state. Nearly 6400 cell phones have been eliminated or optimized. We have put into place a statewide cellular device policy. OCIO has already used an optimization specialist with most agencies, and hiring a third party would require substantial additional funds. Limiting the issuance of devices does not take into account the new use of technology in business. Several agencies make very productive use of smart phones and cellular devices in the field.

**Persons Testifying:** PRO: Senator Benton, prime sponsor.

OTHER: Jill Satran, OCIO; Lenny Young, Department of Natural Resources.