
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2182 Session of
2022

INTRODUCED BY D. MILLER, MARKOSEK, HOHENSTEIN, KINSEY, DELLOSO,
SCHLOSSBERG, PARKER, SANCHEZ, N. NELSON, DeLUCA, MADDEN,
DEASY AND GUZMAN, JANUARY 27, 2022

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 27, 2022

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, in boards and offices, providing for
3 Office of Information Technology.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Part V of Title 71 of the Pennsylvania
7 Consolidated Statutes is amended by adding a chapter to read:

8 CHAPTER 43

9 OFFICE OF INFORMATION TECHNOLOGY

10 Sec.

11 4301. Definitions.

12 4302. Accessibility standards.

13 4303. Procurement.

14 4304. Effect of chapter.

15 § 4301. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

1 "Accessibility." Perceivable, operable and understandable
2 digital content that enables an individual with a disability to
3 access the same information, engage in the same interactions and
4 enjoy the same services offered to individuals without a
5 disability, with the same privacy, independence and ease of use
6 aspects that exist for individuals without a disability.

7 "Disability." As defined in section 3(2) of the Americans
8 with Disabilities Act of 1990 (Public Law 101-336, 104 Stat.
9 327) and its implementing regulations.

10 "Individual with a disability." As the term "qualified
11 individual with a disability" is defined in section 201(2) of
12 the Americans with Disabilities Act of 1990 and its implementing
13 regulations.

14 "Municipality." Any of the following:

15 (1) A county, city, borough, incorporated town, township
16 or home rule municipality.

17 (2) A department, board, commission or other officer or
18 agency of an entity under paragraph (1).

19 "Office." The Office of Information Technology of the
20 Commonwealth's Office of Administration.

21 "Public entity." As follows:

22 (1) Any of the following:

23 (i) The Governor or a department, board, commission,
24 authority or other officer or agency of the Commonwealth.

25 (ii) A municipality.

26 (2) The term does not include:

27 (i) A court or an officer or agency of the unified
28 judicial system.

29 (ii) The General Assembly or an officer or agency of
30 the General Assembly.

1 (iii) A State-related institution, as defined in
2 section 2001-C of the act of March 10, 1949 (P.L.30,
3 No.14), known as the Public School Code of 1949.

4 (iv) The State System of Higher Education or any of
5 its institutions.

6 § 4302. Accessibility standards.

7 (a) Duties of chief information officer.--The chief
8 information officer of the office shall:

9 (1) Maintain accessibility standards for individuals
10 with a disability for information technology systems employed
11 by public entities that:

12 (i) Provide individuals with a disability with
13 access to information stored electronically by public
14 entities by ensuring compatibility with adaptive
15 technology systems so that individuals with a disability
16 have full and equal access when needed.

17 (ii) Are designed to present information, including
18 prompts used for interactive communications, in formats
19 intended for both visual and nonvisual use, such as the
20 use of text-only options.

21 (2) Consistent with the responsibilities of the office,
22 promote and monitor the accessibility standards for
23 individuals with a disability in the State's information
24 technology infrastructure, including architecture. Each
25 public entity shall comply with the accessibility standards
26 established by the office for individuals with a disability
27 in the creation and promulgation of any online content and
28 materials used by the public entity.

29 (3) Consult with public entities and representatives of
30 individuals with a disability in developing and maintaining

1 the accessibility standards for individuals with a
2 disability.

3 (4) Develop accessibility standards for individuals with
4 a disability using the web content accessibility guidelines
5 promulgated and published by the World Wide Web Consortium
6 (W3C) Web Accessibility Initiative or the international
7 accessibility guidelines working group, or any successor
8 group or organization. The office may revise the
9 accessibility standards based on updates or revisions of the
10 guidelines, in which case the office shall transmit notice of
11 its revisions to the Legislative Reference Bureau for
12 publication in the Pennsylvania Bulletin. The revisions shall
13 become effective upon publication in the Pennsylvania
14 Bulletin.

15 (b) Duties of public entities.--Each public entity shall
16 develop a written plan, including any proposed budget requests,
17 to implement its accessibility standards for individuals with a
18 disability at facilities accessible by the public as follows:

19 (1) No later than July 1, 2022, the public entity shall
20 submit the plan to the office, which shall work
21 collaboratively with the public entity to review the plan and
22 establish an implementation methodology.

23 (2) No later than July 1, 2024, the public entity shall
24 fully implement the plan.

25 § 4303. Procurement.

26 (a) Minimum standards and criteria.--The office shall
27 approve minimum standards and criteria to be used in the
28 procurement by public entities of supplies, services or
29 construction, as those terms are defined in 62 Pa.C.S. § 103
30 (relating to definitions), regarding adaptive technologies for

1 nonvisual or other disability access uses.

2 (b) Compliance.--Compliance with subsection (a) shall be
3 achieved at the time of procurement of an upgrade or replacement
4 of existing information equipment or software.

5 § 4304. Effect of chapter.

6 (a) Use by individuals without disability.--Nothing in this
7 chapter shall require the installation of software or peripheral
8 devices used for accessibility for an individual with a
9 disability when the information technology is being used by
10 individuals without a disability.

11 (b) Accessibility required.--Notwithstanding any other
12 provision of this chapter, the applications, programs and
13 underlying operating systems, including the format of the data,
14 which are used for the manipulation and presentation of
15 information, must permit the installation and effective use of
16 and be compatible with software and peripheral devices that
17 provide accessibility to individuals with a disability.

18 Section 2. This act shall take effect in 60 days.