

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill establishes a new program within the Department of Education, and requires rule-making to implement the program. The program involves a contract with private industry, however.

Empower families- The bill provides support for low-income families to acquire computers for their students.

B. EFFECT OF PROPOSED CHANGES:

The FY 04-05 budget provided \$49.9 million for public school technology, which is allocated to districts on a per-student basis. Districts use these funds for a number of different technology needs and initiatives. There is currently no statewide program to provide computers directly to low-income students or to provide them with discounted computers.

HB 1613 requires the Department of Education (DOE) to negotiate with a computer manufacturer to provide computers to low-income students at a discounted price. The contract may also include discounted computer accessories. The discounted computers must include a software package with at least a word processor, internet access, and an operating system. The contract must also address the type of warranty to be provided to the students and whether or not an extended warranty will be made available. Students would be eligible for the discounted price if they are eligible for the free lunch program and are enrolled in grades 5 through 12 in a public school in the state.

The bill requires DOE to adopt rules regarding the integration of the program into computer training provided at the district level. The department must also develop rules regarding the distribution of eligibility-verification certificates to students and how and where equipment will be obtained and paid for under the program.

The bill would enable students to purchase computers who may not have otherwise been able to purchase them, which would increase opportunities for students' technological education.

C. SECTION DIRECTORY:

Section 1. Creates an unnumbered section of law to establish a program to provide computers to low-income students at a discounted price.

Section 2. Provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

The fiscal impact on state government expenditures is indeterminate because the bill is unclear as to whether the state will subsidize the purchase of the computer or if the cost of the computer will be borne by the students and their families, if they choose to participate. There will also be small costs associated with implementing the program, providing eligible students with certificates of eligibility and establishing how the students may purchase the discounted computers. The DOE fiscal analysis has not been received.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may enable low-income students to purchase computers who would be otherwise unable to purchase them at full-price. Though the manufacturer with whom DOE negotiates a contract would be offering the computers at a reduced price, the manufacturer will still be selling computers to a population who might not otherwise purchase them.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to spend funds or to take any action requiring the expenditure of funds.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill requires DOE to adopt rules regarding the integration of the program into computer training provided at the district level. The department must also develop rules regarding the distribution of eligibility-verification certificates to students and how and where equipment will be obtained and paid for under the program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

For consistency of language with other programs in statute, the eligibility provision in the bill might be changed to read "A student who is enrolled in grade 5 through grade 12 in a public school in this state, and who is currently eligible for free lunch is eligible to receive a computer at a discounted price."

The use of the term "internet access" under the list of required software is unclear, as the computer manufacturer would not be able to provide internet access service. The bill could be clarified to refer to "hardware and software to enable internet access" which would encompass both necessary hardware (such as a modem) and necessary software (such as a browser). It is unclear who would bear the cost of ongoing internet access.

The bill directs DOE to negotiate with "a" computer manufacturer. The bill could be clarified to allow DOE to negotiate with several manufacturers.

The bill does not address the issue of whether or not a student may only purchase a discounted computer once, or how often, as the students continue to be enrolled from grade 5 through grade 12.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES