

STORAGE NAME: h2117z.go  
DATE: June 14, 1999

**\*\*FINAL ACTION\*\***  
**\*\*SEE FINAL ACTION STATUS SECTION\*\***

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
GOVERNMENTAL OPERATIONS  
FINAL ANALYSIS**

**BILL #:** HB 2117 (passed as CS/SB 2280, which became law as Chapter 99-255, Laws of Florida)

**RELATING TO:** State Employees/Voice Mail

**SPONSOR(S):** Representative Posey

**COMPANION BILL(S):** 2ND ENGROSSED CS/SB 2280 (compare)

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) GOVERNMENTAL OPERATIONS YEAS 6 NAYS 0
- (2) GENERAL GOVERNMENT APPROPRIATIONS
- (3)
- (4)
- (5)

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I. FINAL ACTION STATUS:

**HB 2117 was amended to SB 2280 as Section 3. , and was approved by the Governor on June 6, 1999, becoming Chapter 99-255, Laws of Florida. This bill analysis is of the provisions of HB 2117 as amended to SB 2280.**

II. SUMMARY:

This bill requires state employees to answer their telephones when such employees are at their regularly assigned work station where their telephones are located, when their telephones are available for use, and when their telephones are in operating order, *unless* the voice mail system alerts callers to, and provides callers with, access to a non-electronic attendant, or if the system automatically transfers such calls to a non-electronic attendant.

This bill also requires that state government units using a telephone menu options system provide callers with the option of being able to speak with a non-electronic attendant.

This bill requires agency heads to ensure enforcement of the provisions of the bill.

Section 3. of SB 2280 provides an effective date of July 1, 1999.

This bill has no evident significant cost to state or local governments.

III. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Currently, agencies use a variety of voice mail, and telephone menu options systems, taking advantage of different features, as deemed most beneficial to each agency.

Most telephone voice mail systems, if not all, have the capability of providing notification to callers of the availability of an attendant, and transfer of calls to another party, including to an attendant.

Similarly, most, if not all, telephone menu options systems have the capability of not only moving from one menu to another, but of notifying callers, and of transferring callers to an attendant.

According to proponents, many official state business calls are missed by callers who cannot reach designated state employees, either due to the absence of notification to callers that they may speak to an attendant, or because the system used is not programmed to automatically transfer unanswered calls to an attendant. Many in need of services or information have only one telephone number, or contact with state government, and are deprived of, or are unnecessarily delayed in securing, such services or information, due to their inability to reach the designated contact, the contact person's designee, or another person who can advise, or otherwise help them.

B. EFFECT OF PROPOSED CHANGES:

**Section 1 (Section 3 of SB 2280)** - Amends s. 110.1082, F.S., requiring state employees to answer their telephones when such employees are at their regularly assigned work station where their telephones are located, when their telephones are available for use, and when their telephones are in operating order, *unless* the voice mail system alerts callers to, and provides callers with, access to a non-electronic attendant, or if the system automatically transfers such calls to a non-electronic attendant.

The effect of such provisions will discourage those employees who routinely use the voice mail system to screen calls, or at least, will provide callers attempting to conduct business with the state, the opportunity to speak to *some* person for advice, or further referral.

Similarly, the provision requiring telephone menu options systems to alert callers to, and provide callers with access to an attendant, will enhance communications and service to citizens if they become confused by menu options, or find that menu options are unsuitable for their needs..

The bill requires agency heads to ensure compliance with the provisions of this section.

**SB 2280** - Provides an effective date of July 1, 1999.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

- a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Possibly. Some governmental entities may have to modify their voice mail, or menu options systems, to accommodate the requirements to alert callers of options, or to transfer them to attendants.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

Not applicable.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

NA

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

Yes. With increased opportunities to reach state employees, citizens may be able to accomplish goals, or have needs more readily met.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

Not applicable.

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

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Not applicable.

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Amends s. 110.1082, F.S.

E. SECTION-BY-SECTION ANALYSIS:

See IIB. EFFECT OF PROPOSED CHANGES.

IV. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

Unknown, but may include costs to reprogram telephone systems.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

Unknown.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None, except the possibility of opportunities for private firms to provide telephone re-programming services.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

V. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds, or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

VI. COMMENTS:

HB 2117 was amended to SB 2280, as Section 3, with an effective date of July 1, 1999.

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VIII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL OPERATIONS:

Prepared by:

Staff Director:

Russell J. Cyphers, Jr.

Jimmy O. Helms

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**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON GOVERNMENTAL OPERATIONS:**  
Prepared by: \_\_\_\_\_ Staff Director: \_\_\_\_\_

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