

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: SB 444

INTRODUCER: Senator Rader

SUBJECT: Customer Service Standards for State Agencies

DATE: December 6, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	McVaney	GO	Favorable
2.	_____	_____	IT	_____
3.	_____	_____	RC	_____

I. Summary:

SB 444 amends the Florida Customer Service Standards Act to require all state departments to employ a telephone system that allows a caller to press “0” to be connected to an operator or be provided with a call-back option.

State agencies may incur additional costs to comply with the requirements of this bill.

The bill takes effect on October 1, 2020.

II. Present Situation:

Florida Customer Service Standards Act

The Florida Customer Service Standards Act directs executive branch agencies and the Public Service Commission to practice and employ certain measures to improve customer service.¹ For purposes of this act, a “customer” means any person who uses or requests services or information provided by a state executive agency or who is required by statute to interact with the agency.² The measures most pertinent to this legislation include:

- Designating an employee or employees to facilitate the resolution of customer complaints.
- Promptly providing available information and accurate responses to questions and requests for assistance.
- Acknowledging receipt of telephonic or electronic question or request by the end of the next business day.

¹ Section 23.30, F.S.

² Section 20.30(3)(a), F.S.

- Providing local or toll-free telephonic or electronic access either through a centralized complaint-intake call center or directly to a departmental employee or employees designated to resolve customer complaints.³

The act does not include funding to comply or penalties for failure to comply.⁴

Voice Mail Systems

There is no statutory requirement for state agencies to employ a voice mail system or a telephone menu options system. However, if the state agency employs such systems, the use must be consistent with the following:

- A state employee may not use a voice mail system when the employee is at his regularly assigned work station where the telephone is functional and available for use, unless the telephone is in use, the voice mail system provides the caller with access to a nonelectronic attendant, or the voice mail system automatically transfers the call to a nonelectronic attendant.⁵
- A telephone menu options system used by a state agency must alert the caller to, and provide the caller with access to, a nonelectronic attendant.⁶

The agency head is required to ensure compliance with these provisions.⁷

For purposes of these requirements, the term “state agency” includes executive and judicial branch entities of the state.⁸

The level of compliance by state agencies is unknown.

III. Effect of Proposed Changes:

Section 1 amends s. 20.30, F.S., to require each state executive branch agency and the Public Service Commission to employ a telephone system that allows a customer to be connected to an operator (presumably a nonelectronic attendant) or be provided with a call-back option.

Section 2 provides the bill takes effect on October 1, 2020.

³ Section 23.30(4), F.S.

⁴ Section 23.30(6), (7), F.S.

⁵ Section 110.1082(1), F.S.

⁶ Section 110.1082(2), F.S.

⁷ Section 110.1082(3), F.S.

⁸ Section 110.105(30), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of a state tax shares with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

A state agency may incur indeterminate costs to the extent the agency does not currently use a system with the required features. Some state agencies may incur additional costs to ensure there are sufficient operators for more heavily trafficked phone lines, such as the Department of Management Services' state information phone line.

VI. Technical Deficiencies:

The Legislature may want to consider amending s. 110.1082(2), F.S., to allow a state agency to allow its telephone menu options system to provide a call-back option.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 23.30 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
