

BILL

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to transparency in government spending;
 3 creating s. 215.985, F.S.; providing a short title;
 4 providing definitions; requiring the Executive Office of
 5 the Governor, in consultation with specified legislative
 6 committees, to establish a specified website; requiring
 7 the Joint Legislative Auditing Committee to oversee and
 8 manage the website; requiring the website to include
 9 specified information relating to governmental entities;
 10 specifying requirements for data submission; requiring the
 11 committee to develop a format for collecting and posting
 12 specified information; requiring the committee to develop
 13 a plan and submit the plan to the Governor and the
 14 Legislature by a specified date; providing plan
 15 requirements; requiring functional owners and governmental
 16 entities to provide certain information; providing an
 17 exemption for specified local governments; providing an
 18 exemption for specified information; requiring the
 19 committee to prepare an annual report; providing report
 20 requirements; requiring the report to be submitted to the
 21 Governor and the Legislature by a specified date;
 22 authorizing the committee to adopt rules; amending s.
 23 11.40, F.S.; requiring the Joint Legislative Auditing
 24 Committee to oversee and manage the website; providing an
 25 effective date.

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 28 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 215.985, Florida Statutes, is created to read:

215.985 Transparency in government spending.--

(1) This section may be cited as the "Transparency Florida Act."

(2) As used in this section:

(a) "Committee" means the Joint Legislative Auditing Committee as created in s. 11.40.

(b) "Governmental entity" means any state, regional, county, municipal, special district, or other local governmental entity of this state, whether executive, judicial, or legislative, including, but not limited to, any department, division, bureau, commission, authority, district, or agency thereof or any public school district, community college, state university, or board associated therewith.

(c) "Website" means a website that is easily accessible to the public at no cost and does not require the user to provide any information.

(3) (a) The Executive Office of the Governor, in consultation with the appropriation committees of the Senate and House of Representatives, shall establish as soon as possible, a single website directly accessible through the official Internet portal of the state that includes access to information for each governmental entity.

(b) The Joint Legislative Auditing Committee shall oversee and manage the website.

(c) The website shall include a counter to show the number

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57 of times the website has been accessed.

58 (4) Access to information for each state agency and each
 59 branch of state government, shall include, but is not limited
 60 to:

61 (a) Disbursement data for each state agency and each
 62 branch of state government by object code associated with each
 63 expenditure as established within the Florida Accounting
 64 Information Resource (FLAIR) system, which shall be available to
 65 the public for each appropriation provided in the General
 66 Appropriations Act. Expenditure data shall include the name of
 67 the payee, the date of the expenditure, the amount of the
 68 expenditure, the warrant number, and the associated object code.

69 (b) Appropriations from the General Appropriations Act and
 70 any adjustments, including vetoes, approved supplemental
 71 appropriations included in legislation other than the General
 72 Appropriations Act, budget amendments, and other approved
 73 actions pursuant to chapter 216, and any other adjustments
 74 authorized by law.

75 (c) Status of spending authority for each appropriation in
 76 the approved operating budget, including released, unreleased,
 77 reserved, and disbursed balances.

78 (d) Position and rate information for positions provided
 79 in the General Appropriations Act.

80 (5) Access to additional information, as recommended by
 81 the committee, for each state agency may include, but is not
 82 limited to:

83 (a) Detail of non-operating budget authority established
 84 pursuant to s. 216.181.

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85 (b) Trust fund balance reports, including cash available,
 86 investments, and receipts.

87 (c) General revenue fund balance reports, including
 88 revenue received and amounts disbursed.

89 (d) Fixed capital outlay project data, including the
 90 original appropriation amount and any disbursements made
 91 throughout the life of the project.

92 (e) A 10-year history of appropriations by agency.

93 (6) The committee shall develop a format for collecting
 94 and posting information from public school districts, community
 95 colleges, state universities, and other governmental entities
 96 receiving state appropriations.

97 (7) All data shall be provided pursuant to s. 215.93,
 98 subject to any exemptions provided by state and federal law.

99 (8) By March 1, 2010, the committee shall submit to the
 100 Governor, the President of the Senate, and the Speaker of the
 101 House of Representatives a plan to provide access to information
 102 for all other governmental entities, including a schedule for
 103 phasing in the addition of such information. Access to
 104 information for all other governmental entities shall include,
 105 but is not limited to:

106 (a) Disbursements by each governmental entity from funds
 107 established within the treasury of the governmental entity.

108 (b) Revenues received by each governmental entity,
 109 including, receipts or deposits by the governmental entity into
 110 funds established within the treasury of the governmental
 111 entity.

112 (c) Information pertaining to a governmental entity's

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113 bonded indebtedness, including, but not limited to, the total
 114 amount of obligation stated in terms of principal and interest,
 115 including an itemization of each obligation, the term of each
 116 obligation, the source of funding for repayment of each
 117 obligation, the amounts of principal and interest previously
 118 paid to reduce each obligation, the balance remaining of each
 119 obligation, any refinancing of any obligation, and the cited
 120 statutory authority to issue such bonds.

121 (d) Links to available governmental entity websites.

122 (9) All functional owners, as defined s. 215.94, and
 123 governmental entities shall provide information necessary to the
 124 committee to accomplish the purposes of this section.

125 (10) Any municipality, including any agency thereof,
 126 having a population of 10,000 or less is exempt from this
 127 section. Population figures used for the purposes of this
 128 subsection shall be the most recent population estimates
 129 prepared pursuant to s. 186.901.

130 (11) This section does not permit or require the
 131 disclosure of information that is considered confidential by
 132 state or federal law.

133 (12) The committee shall prepare an annual report
 134 detailing the progress in implementing the single website and
 135 providing recommendations for enhancement of the content and
 136 format of the single website and related policies and
 137 procedures. The report shall be submitted to the Governor, the
 138 President of the Senate, and the Speaker of the House of
 139 Representatives, no later than November 1, 2011, and November 1
 140 of each year thereafter.

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141 (13) The committee may adopt rules to implement this
142 section.

143 Section 2. Subsection (7) is added to section 11.40,
144 Florida Statutes, to read:

145 11.40 Legislative Auditing Committee.--

146 (7) The committee shall provide oversight and management
147 of the Transparency Florida website pursuant to s. 215.985.

148 Section 3. This act shall take effect July 1, 2009.