

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 for
23 implementation; amending s. 11.40, F.S.; requiring the
24 Joint Legislative Auditing Committee to oversee and manage
25 the website; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:
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29 Section 1. Section 215.985, Florida Statutes, is created
 30 to read:

31 215.985 Transparency in government spending.--

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

34 (2) As used in this section:

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

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

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

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

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

55 (c) The website shall include a counter to show the number
 56 of times the website has been accessed.

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

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

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

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

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

78 (5) Access to additional information as recommended by the
79 committee for each state agency and each branch of state
80 government may include, but is not limited to:

81 (a) Detail of nonoperating budget authority established
82 pursuant to s. 216.181.

83 (b) Trust fund balance reports, including cash available,
84 investments, and receipts.

85 (c) General revenue fund balance reports, including
86 revenue received and amounts disbursed.

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

90 (e) A 10-year history of appropriations from the General
91 Appropriations Act.

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

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

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

105 (a) Disbursements made by each governmental entity from
106 funds established within the treasury of the governmental
107 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) Bonded indebtedness information for each governmental

113 entity, including, but not limited to, the total amount of
 114 obligation stated in terms of principal and interest, including
 115 an itemization of each obligation, the term of each obligation,
 116 the source of funding for repayment of each obligation, the
 117 amounts of principal and interest previously paid to reduce each
 118 obligation, the balance remaining of each obligation, any
 119 refinancing of any obligation, and the cited statutory authority
 120 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 having a population of 10,000 or
 126 less, including any agency thereof, is exempt from this section.
 127 Population figures used for the purposes of this subsection
 128 shall be the most recent population estimates prepared pursuant
 129 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 of
 140 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 oversee and manage the
 147 Transparency Florida website pursuant to s. 215.985.

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