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LEGISLATIVE ACTION

Senate	.	House
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Floor: AD/CR	.	
05/06/2011 05:45 PM	.	
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The Conference Committee on SB 2096 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraph (i) is added to subsection (7) of
7 section 11.45, Florida Statutes, to read:

8 11.45 Definitions; duties; authorities; reports; rules.—

9 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

10 (i) Beginning in 2012, the Auditor General shall annually
11 transmit by July 15, to the President of the Senate, the Speaker
12 of the House of Representatives, and the Department of Financial
13 Services, a list of all school districts, charter schools,



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14 charter technical career centers, Florida College System
15 institutions, state universities, and water management districts
16 that have failed to comply with the transparency requirements as
17 identified in the audit reports reviewed pursuant to paragraph
18 (b) and those conducted pursuant to (2).

19 Section 2. Subsections (2), (5), (6), and (11) through (14)
20 of section 215.985, Florida Statutes, are amended, and
21 subsections (15) and (16) are added to that section, to read:

22 215.985 Transparency in government spending.—

23 (2) As used in this section, the term:

24 (a) "Governmental entity" means any state, regional,
25 county, municipal, special district, or other political
26 subdivision whether executive, judicial, or legislative,
27 including, but not limited to, any department, division, bureau,
28 commission, authority, district, or agency thereof, or any
29 public school ~~district~~, Florida College System institution
30 ~~community college~~, state university, or associated board.

31 (b) "Website" means a site on the Internet which is easily
32 accessible to the public at no cost and does not require the
33 user to provide any information.

34 (c) "Committee" means the Legislative Auditing Committee
35 created in s. 11.40.

36 (5) The committee shall recommend a format for collecting
37 and displaying information from state universities, ~~public~~
38 ~~schools~~, Florida College System institutions ~~community colleges~~,
39 school districts, charter schools, charter technical career
40 centers, local governmental units, and other governmental
41 entities ~~receiving state appropriations~~.

42 (6) By November 1, 2012, and annually thereafter ~~March 1,~~



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43 ~~2010~~, the committee shall develop a schedule for adding
44 additional ~~other~~ information to the website by type of
45 information and governmental entity, including timeframes and
46 development entity. The schedule for adding additional
47 information shall be submitted to the President of the Senate
48 and the Speaker of the House of Representatives. Additional
49 information may include:

50 (a) Disbursements by the governmental entity from funds
51 established within the treasury of the governmental entity,
52 including, for all branches of state government, allotment
53 balances in the Florida Accounting Information Resource
54 Subsystem.

55 (b) Revenues received by each governmental entity,
56 including receipts or deposits by the governmental entity into
57 funds established within the treasury of the governmental
58 entity.

59 (c) Information relating to a governmental entity's bonded
60 indebtedness, including, but not limited to, the total amount of
61 obligation stated in terms of principal and interest, an
62 itemization of each obligation, the term of each obligation, the
63 source of funding for repayment of each obligation, the amounts
64 of principal and interest previously paid to reduce each
65 obligation, the balance remaining of each obligation, any
66 refinancing of any obligation, and the cited statutory authority
67 to issue such bonds.

68 (d) Links to available governmental entity websites.

69 (11) A Any municipality or special district that has total
70 annual revenues of less than \$10 million ~~having a population of~~
71 ~~10,000 or fewer~~ is exempt from this section. ~~Population~~



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72 ~~determinations must be based on the most recent population~~
73 ~~estimates prepared pursuant to s. 186.901.~~

74 (12) By September 1, 2011, each water management district
75 shall provide a monthly financial statement to its governing
76 board and make such statement available for public access on its
77 website.

78 (13)~~(12)~~ This section does not require or permit the
79 disclosure of information that is considered confidential by
80 state or federal law.

81 (14)~~(13)~~ The Office of Policy and Budget in the Executive
82 Office of the Governor shall ensure that all data added to the
83 website remains accessible to the public for 10 years.

84 (15)~~(14)~~ The committee shall prepare an annual report
85 detailing progress in establishing the single website and
86 providing recommendations for enhancement of the content and
87 format of the website and related policies and procedures. The
88 first report shall be submitted to the Governor, the President
89 of the Senate, and the Speaker of the House of Representatives
90 by November 1, 2011, and annually by November 1 thereafter.

91 (16) The Chief Financial Officer shall provide public
92 access to a state contract management system that provides
93 information and documentation relating to contracts procured by
94 governmental entities.

95 (a) The data collected in the system must include, but need
96 not be limited to, the contracting agency; the procurement
97 method; the contract beginning and ending dates; the type of
98 commodity or service; the purpose of the commodity or service;
99 the compensation to be paid; compliance information, such as
100 performance metrics for the service or commodity; contract



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101 violations; the number of extensions or renewals; and the
102 statutory authority for providing the service.

103 (b) Within 30 days after a major change to an existing
104 contract or the execution of a new contract, agency procurement
105 staff of the affected state governmental entity shall update the
106 necessary information in the state contract management system. A
107 major change to a contract includes, but is not limited to, a
108 renewal, termination, or extension of the contract or an
109 amendment to the contract.

110 Section 3. This act shall take effect July 1, 2011.

111
112 ===== T I T L E A M E N D M E N T =====

113 And the title is amended as follows:

114 Delete everything before the enacting clause
115 and insert:

116 A bill to be entitled
117 An act relating to state financial information;
118 amending s. 11.45, F.S.; requiring that the Auditor
119 General annually provide to the Legislature and the
120 Department of Financial Services a list of specified
121 entities that have failed to comply with certain
122 financial transparency requirements; amending s.
123 215.985, F.S., relating to the Transparency Florida
124 Act; revising the definition of the term "governmental
125 entity"; adding additional governmental entities to
126 those for which the Legislative Auditing Committee
127 recommends a format for collecting and displaying
128 financial information; revising the schedule for
129 adding information to the state's official website;



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130 revising provisions exempting certain municipalities
131 and special districts from the Transparency Florida
132 Act; requiring each water management to submit monthly
133 detailed financial statements to its governing board
134 and post such statement on its website; requiring the
135 Chief Financial Officer to provide public access to a
136 state contract management system; providing the
137 information that must be available on the system;
138 requiring agency procurement staff to update data in
139 the system; providing an effective date.