

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	HB 5401	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Government Operations Appropriations Subcommittee and Ingram	117 Y's	0 N's
COMPANION BILLS:	SB 1764	GOVERNOR'S ACTION:	Approved

SUMMARY ANALYSIS

HB 5401 passed the House on May 2, 2013, and subsequently passed the Senate on May 3, 2013. The bill amends section 215.985, F.S., relating to the Transparency Florida Act (Act). Specifically:

- Providing the definition of "Contract" for purposes of this section.
- Requiring the Executive Office of the Governor (EOG), in consultation with the appropriations committees of the House of Representatives and Senate, to:
 - Establish and maintain a single website that will provide access to all other websites required by the Act; provide style and formatting requirements for all of the websites required by the Act.
 - Maintain a website that provides information relating to the approved operating budget for each branch of state government and state agencies; provide search criteria and informational requirements of data stored on this website; and require the Office of Policy and Budget within the Executive Office of the Governor to ensure that data added to the website remains accessible to the public for ten years.
 - Establish and maintain a website that provides information relating to the fiscal planning for the state; provide information requirements of data stored on this website; and require the Office of Policy and Budget within the Executive Office of the Governor to ensure that data added to the website remains accessible to the public for ten years.
- Requiring the Department of Management Services (DMS) to establish and maintain a website that provides current data and information relating to state employee and officers, state universities, or State Board of Administration employees; provides search criteria and informational requirements of data stored on this website.
- Requiring the Joint Legislative Auditing Committee (Committee) to provide recommendations to the President of the Senate and Speaker of the House of Representatives on any additional information to be added to a website established in this Act; recommend a schedule for adding information to a website; and recommend a format for collecting and displaying the additional information.
- Requiring the manager of each website to submit to the Committee information regarding the cost of creating and maintaining websites required by this Act in addition to the number of times the websites have been accessed.
- Requiring the Chief Financial Officer (CFO) to establish and maintain a secure contract tracking system with sufficient security to deny the ability to alter or modify records available on the website; expands the posting requirements for the state contract tracking system to include contracts and certain procurement documents of all executive and judicial branch entities; provides exemptions from posting contract and procurement documents in certain instances; requires redaction of confidential or exempt information before contracts are uploaded to the website; provides a disclaimer from liability to the CFO and the Department of Financial Services for failure to properly redact information; and authorizes the CFO to adopt rules.
- Creating the "User Experience Task Force" (Task Force) to develop and recommend a design for consolidating existing state-managed transparency websites into one website.

The bill was approved by the Governor on May 20, 2013, ch. 2013-54, L.O.F., and will become effective on July 1, 2013.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h5401z1.GOAS

DATE: May 30, 2013

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Transparency Florida Act

The Transparency Florida Act¹ (Act) requires specified state fiscal information to be made publicly available via website or management system. A municipality or special district that has total annual revenues of less than \$10 million is exempt from the act.²

State Budget Website

The Act requires the Executive Office of the Governor (EOG), in consultation with the appropriations committees of the House of Representatives and Senate, to establish and maintain a single website, directly accessible by the public through Florida's official internet portal,³ to provide information relating to each appropriation in the General Appropriations Act (GAA) for each branch of state government and state agency.⁴ At a minimum, the information must include:

- Disbursement data for each appropriation by the object code associated with the expenditure established within the Florida Accounting Information Resource Subsystem (FLAIR). Expenditure data must include the name of the payee, the date and amount of the expenditure, and the statewide document number.
- For each appropriation, any adjustments, including vetoes, approved supplemental appropriations included in legislation other than the GAA, budget amendments, other actions approved pursuant to chapter 216⁵, and any other adjustments authorized by law.
- The status of spending authority for each appropriation in the approved operating budget, including released, unreleased, reserved, and disbursed balances.
- Position and rate information for positions provided in the GAA.⁶

All data provided through the website must be data currently available in the Florida Financial Management Information System (FFMIS).⁷ The Office of Policy and Budget in the EOG must ensure that all data added to the state budget website remains accessible to the public for 10 years.⁸ The Joint Legislative Auditing Committee (Committee) is required to propose additional state fiscal information to be provided on the state budget website.⁹ Additional information on the website may include, but is not limited to, the following information for state agencies:

- Details of nonoperating budget authority established pursuant to s. 216.181, F.S.
- Trust fund balance reports, including cash available, investments, and receipts.
- General revenue fund balance reports, including revenue received and amounts disbursed.
- Fixed capital outlay project data, including original appropriation and disbursements throughout the life of the project.
- A 10-year history of appropriations indicated by agency.

¹ Chapter 2009-74, s. 2, L.O.F. (codified at s. 215.985, F.S.).

² Section 215.985(11), F.S.

³ The State of Florida's official internet portal is www.myflorida.com.

⁴ Section 215.985(3), F.S.

⁵ Chapter 216, F.S., provides planning and budgeting requirements.

⁶ Section 215.985(3)(a), F.S.

⁷ Section 215.985(3)(b), F.S.

⁸ Section 215.985(14), F.S.

⁹ Section 215.985(4), F.S.

- Links to state audits or reports related to the expenditure and dispersal of state funds.
- Links to program or activity descriptions for which funds may be expended.

The Act also requires the Committee to recommend a format for collecting and displaying information from state universities, Florida College System institutions, school districts, charter schools, charter technical career centers, local governmental units, and other governmental entities.¹⁰

By November 1, 2012, and annually thereafter, the Committee must develop a schedule for adding additional information to the website by type of information and governmental entity, including timeframes and development entity.¹¹ The Committee must submit the schedule to the President of the Senate and the Speaker of the House of Representatives. Additional information may include, but is not limited to:

- Disbursements by the governmental entity from funds established within the treasury of the governmental entity, including, for all branches of state government, allotment balances in the FLAIR.
- Revenues received by each governmental entity, including receipts or deposits by the governmental entity into funds established within the treasury of the governmental entity.
- Information relating to a governmental entity's bonded indebtedness, including, but not limited to, the total amount of obligation stated in terms of principal and interest, an itemization of each obligation, the term of each obligation, the source of funding for repayment of each obligation, the amounts of principal and interest previously paid to reduce each obligation, the balance remaining of each obligation, any refinancing of any obligation, and the cited statutory authority to issue such bonds.
- Links to available governmental entity websites.

The Committee also must prepare an annual report detailing progress in establishing the single website and providing recommendations for enhancement of the content and format of the website and related policies and procedures. The reports must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually by November 1.¹²

Other functions required by the Act include:

- By August 31 of each fiscal year, each executive branch agency, the state court system, and the Legislature shall establish allotments in the FLAIR for planned expenditures of state appropriations.¹³
- The Committee shall coordinate with the Financial Management Information Board¹⁴ in developing any recommendations for including information on the website which is necessary to meet the requirements of s. 215.91(8), F.S.¹⁵
- Functional owners as defined in s. 215.94, F.S., and other governmental entities shall provide information necessary to accomplish the purposes of the Act.¹⁶

¹⁰ Section 215.985(5), F.S. Section 215.985(2)(a), F.S., defines "governmental entity" to mean any state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, any department, division, bureau, commission, authority, district, or agency thereof, or any public school, Florida College System institution, state university, or associated board.

¹¹ Section 215.985(6), F.S.

¹² Section 215.985(15), F.S.

¹³ Section 215.985(8), F.S.

¹⁴ The Financial Management Information Board is part of the Administration Commission and is composed of the Governor, the Chief Financial Officer, the Commissioner of Agriculture, and the Attorney General (s. 215.95(1), F.S.). Its duties include management and oversight of the Florida Financial Management Information System (s. 215.95(2), F.S.).

¹⁵ Section 215.985(9), F.S.

¹⁶ Section 215.985(10), F.S.

Water Management District Websites

The Act requires each water management district to provide a monthly financial statement to its governing board and make such statement available for public access on its website.¹⁷

State Contract Management System

The Act requires the Chief Financial Officer (CFO) to provide public access to a state contract management system that provides information and documentation relating to contracts procured by governmental entities.¹⁸ Data collected in the system must include, but is not limited to:

- The contracting agency.
- The procurement method.
- The contract beginning and ending dates.
- The type and purpose of the commodity or service.
- The compensation to be paid.
- Compliance information, such as performance metrics for the service or commodity.
- Contract violations.
- The number of extensions or renewals.
- The statutory authority for providing the service.¹⁹

Within 30 days after a major change to an existing contract or the execution of a new contract, agency procurement staff of the affected state governmental entity must update the necessary information in the state contract management system.²⁰ A major change to a contract includes, but is not limited to:

- A renewal, termination, or extension of the contract; or
- An amendment to the contract.

Data Available on State Websites

State Budget Website

The state budget website required by the Act is located at transparencyflorida.gov. The website includes:

- All information required to be posted on the website.
- All information suggested for inclusion on the website except:
 - Non-operating budget information.
 - Information relating to a governmental entity's bond indebtedness.
 - Information from state universities, Florida College System institutions, school districts, charter schools, charter technical centers, and local governmental units.
- Links to:
 - State audits or reports related to the expenditures and dispersal of state funds.
 - Program or activity descriptions for which funds may be expended.
 - Reports of public school districts.

¹⁷ Section 215.985(12), F.S.

¹⁸ Section 215.985(16), F.S.

¹⁹ Section 215.985(16)(a), F.S.

²⁰ Section 215.985(16)(b), F.S.

State Contract Management System

Currently, the Act does not require the state contract management system to be available via website; however, the CFO makes a limited number of contracts available online through the Florida Accountability Contract Tracking System (FACTS).²¹ Contracts are searchable on FACTS by:

- Agency name.
- Vendor name.
- Agency assigned contract ID.
- Contract dollar value.
- Beginning and ending dates of the contract.
- Commodity or service type.

Additional Information

Additional state governmental information available via website includes, but is not limited to:

- Monthly financial statements of WMDs, as required by the act.²²
- Agency legislative budget requests, original and amended;²³ capital improvement plans; long-range performance plans; the Governor's budget recommendations;²⁴ legislative appropriations bills;²⁵ the conference report on the budget;²⁶ the Governor's veto message and a list of vetoed appropriations; fiscal analysis in brief; and planning and budgeting instructions and forms.²⁷
- Payroll and position data for the executive and judicial branches; state universities;²⁸ and the legislative branch.²⁹

Public Records Laws

Article I, s. 24(a) of the State Constitution sets forth the state's public policy regarding access to government records. The section guarantees every person a right to inspect or copy any public record of the legislative, executive, and judicial branches of government. The Legislature, however, may provide by general law for the exemption of records from the requirements of Article I, s. 24(a) of the State Constitution. The general law must state with specificity the public necessity justifying the exemption (public necessity statement) and must be no broader than necessary to accomplish its purpose.³⁰

Public policy regarding access to government records is addressed further in the Florida Statutes. Section 119.07(1), F.S., guarantees every person a right to inspect and copy any state, county, or municipal record. Furthermore, the Government Sunset Review Act³¹ provides that a public record or

²¹ Available at <https://facts.fldfs.com/Search/ContractSearch.aspx> (last visited May 2, 2013).

²² Available at <http://www.nfwmd.state.fl.us/bizfinance.html>, <http://www.srwmmd.state.fl.us/index.aspx?NID=136>, <http://floridaswater.com/financialstatements/>, <http://www.swfwmd.state.fl.us/business/financials/>, and http://www.sfwmd.gov/portal/page/portal/xweb%20about%20us/agency%20reports#budget_strategic_plan. (last visited May 2, 2013.)

²³ Available via the Florida Fiscal Portal (<http://floridafiscalportal.state.fl.us>, (last visited May 2, 2013) and the Governor's "Let's Get to Work" website (<http://letsgettowork.state.fl.us/HomeFY14.htm>, (last visited May 2, 2013)).

²⁴ Available via the Florida Fiscal Portal and the Governor's "Let's Get to Work" website (last visited May 2, 2013).

²⁵ Available via the Florida Fiscal Portal, the Governor's "Let's Get to Work" website, and the official websites of the Florida Senate and the Florida House of Representatives (www.flsenate.gov and www.myfloridahouse.gov, respectively (last visited May 2, 2013)).

²⁶ Available via the Florida Fiscal Portal and the official websites of the Florida Senate and the Florida House of Representatives. (last visited May 2, 2013.)

²⁷ Available via the Florida Fiscal Portal. (last visited May 2, 2013.)

²⁸ Available via the Governor's "Florida Has Right to Know" website (<http://www.floridahasarighttoknow.com/>, (last visited May 2, 2013)).

²⁹ Available via the official websites of the Florida Senate and the Florida House of Representatives (last visited May 2, 2013).

³⁰ Article I, s. 24(c) of the State Constitution.

³¹ See s. 119.15, F.S.

public meeting exemption may be created or maintained only if it serves an identifiable public purpose. In addition, it may be no broader than is necessary to meet one of the following purposes:

- Allows the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption.
- Protects sensitive personal information that, if released, would be defamatory or would jeopardize an individual's safety; however, only the identity of an individual may be exempted under this provision.
- Protects trade or business secrets.

Effect of the Bill

Florida Transparency Act

This bill amends the Florida Transparency Act (Act) as follows.

Definition

The term "contract," which is currently used in the Act but not defined, is defined to mean a written agreement or purchase order issued for the purchase of goods or services or a written agreement for the receipt of state or federal financial assistance.

For purposes of subsection (h) of the bill, the term:

- "Procurement document" means any document or material provided to the public or any vendor as part of a formal competitive solicitation of goods or services undertaken by a state entity, and a document or material submitted in response to a formal competitive solicitation by any vendor who is awarded the resulting contract.
- "State entity" means an official, officer, commission, board, authority, council, committee, or department of the executive branch of state government; a state attorney, public defender, criminal conflict and civil regional counsel, capital collateral regional counsel, and the Justice Administrative Commission; the Public Service Commission; and any part of the judicial branch of state government.

Single Access Website

The EOG, in consultation with the appropriations committees of the House of Representatives and Senate, is required to establish and maintain a single website that provides access to all other websites required by the Act. In addition, the single website and other websites required by the Act must meet style and formatting requirements as follows; the websites must:

- Be constructed for usability that, to the extent possible, provides an intuitive user experience.
- Provide a consistent visual design, interaction or navigation design, and information or data presentation.
- Be deployed in compliance with the Americans with Disabilities Act.³²
- Be compatible with all major web browsers.

³² The Americans with Disabilities Act (Pub. L. No. 101-336, § 2, 104 Stat. 328 (1991)) contains nondiscrimination requirements for state and local government websites. Suggestions for compliance include, but are not limited to, text equivalents for images, accessible formats for documents, and avoidance of dictating colors and font settings.

State Budget Website

The bill amends provisions relating to the state budget website currently required by the Act. The bill removes the requirement that the state budget website be a single website that is directly accessible through Florida's internet portal. This requirement can be removed because the bill creates a new single access website, where all websites created by the Act will be accessible.

The bill creates search criteria and downloading requirements for the currently-required disbursement data for expenditures in FLAIR. That data must be searchable by the name of the payee, the paying agency, and fiscal year. It also requires such data to be downloadable in a format that allows offline analysis.

The bill expands information that must be included on the website to include:

- Position and rate information for positions provided in the GAA;
- Position and rate information for positions approved through an amendment to the operating budget;
- Positions established in the legislative branch;
- Allotments, and current balances of such allotments, for planned expenditures of state appropriations established by state agencies in FLAIR;
- Trust fund balance reports to include cash available, investments, and receipts;
- General revenue fund balance reports to include revenue received and amounts disbursed;
- Fixed capital outlay project data to include original appropriation and disbursements throughout the life of the project;
- A ten year history of appropriations indicated by agency;
- Links to state audits or reports related to the expenditure and dispersal of state funds; and
- Links to program or activity descriptions for which funds may be expended.

The bill also requires the Office of Policy and Budget in the EOG to ensure that all data added to the website remains accessible to the public for ten years.

State Fiscal Planning Website

The EOG, in consultation with the appropriations committees of the House of Representatives and Senate, is required to establish and maintain a website that provides information relating to state fiscal planning. While the state budget website provides information for *approved* budgets and related data, the bill requires the state fiscal planning website to include information submitted prior to the adoption of a budget, including proposals and requests that may never take effect. This information includes, but is not limited to:

- The long-range financial outlook adopted by the Legislative Budget Commission.³³
- Instructions to the agencies relating to legislative budget requests, capital improvement plans, and long-range program plans.
- Legislative budget requests submitted by each state agency or branch of state government, and any amendments to such requests.
- Capital improvement plans submitted by each state agency or branch of state government.
- Long-range program plans submitted by each state agency or branch of state government.
- The Governor's budget recommendations submitted pursuant to s. 216.163, F.S.³⁴

³³ The joint Legislative Budget Commission is required to annually issue a long-range financial outlook setting out recommended fiscal strategies for the state and its departments and agencies in order to assist the legislature in making budget decisions (FLA. CONST., art. III, s. 19(c)(1)).

³⁴ Section 216.163, F.S., specifies requirements for the Governor's recommended budget.

Data on the State fiscal planning website must be searchable by fiscal year, agency, appropriation category, and keywords. In addition, the bill also requires the Office of Policy and Budget in the EOG to ensure that all data added to the website remains accessible to the public for ten years.

Employee and Officer Information Website

The Department of Management Services³⁵ (DMS) must establish and maintain a website providing current information relating to each employee or officer of a state agency, state university, or the State Board of Administration,³⁶ regardless of the appropriation category from which the person is paid. For each employee or officer, the information must include, at a minimum, his or her:

- Name and salary or hourly rate of pay.
- Position number, class code, and class title.
- Employing agency and budget entity.

The employee and officer information must be searchable by state agency, state university, and the State Board of Administration, and by employee name, salary range, or class code and must be downloadable in a format that allows offline analysis.

Joint Legislative Auditing Committee (Committee) Duties

The bill increases the current Committee's responsibilities to include a recommendation to the President of the Senate and the Speaker of the House of Representatives by November 1, 2013, regarding any additional information to be added to a website such as whether to expand the scope of information provided to include state universities; Florida College System institutions; school districts; charter schools; charter technical career centers; local government units; and other governmental entities. In addition, the Committee shall recommend a format for collecting and displaying the additional information.

The bill requires that managers of the state budget website, the state fiscal planning website, and the state officer and employee information website submit to the Committee information on the cost of creating and maintaining their respective websites in addition to the number of times the websites have been accessed.

State Contract Management System

The bill requires state entities to upload to the CFO's Florida Accountability Contract Tracking System (FACTS) website, contracts and formal procurement documents that have been redacted to exclude confidential or exempt information to the contract tracking website within 30 days after execution. In addition to uploading the redacted contract and procurement documents, the agency must provide on the website information pertaining to the contract and procurement document, including the following information:

- The names of the contracting entities.
- The procurement method.
- The contract beginning and ending dates.
- The nature or type of the commodities or services purchased.
- Applicable contract unit prices and deliverables.

³⁵ The DMS provides administrative and support services to other state agencies and to state employees (*see* www.dms.myflorida.com, last visited May 2, 2013)).

³⁶ The State Board of Administration is composed of the Governor, the CFO, and the Attorney General (FLA. CONST., art. IV, s. 4(e)). Its duties include, but are not limited to, the management of state investment fund such as the Florida Retirement System Pension Plan and Investment Plan (*see* <http://www.sbafla.com/fsb/TheFundsWeManage/tabid/731/Default.aspx>, last visited May 2, 2013)).

- Total compensation to be paid or received under the contract.
- All payments made to the contractor to date.
- Applicable contract measures.
- Information if a competitive solicitation was not used to procure the goods or services and justification of such action, including citation to a statutory exemption or exception from competitive solicitation, if any.
- Electronic copies of the contract and procurement documents that have been redacted to exclude confidential or exempt information.

State entities must update the information in the contract tracking system within 30 days of an amendment to the existing contract. State entities must also post to the contract tracking system the information required for each existing contract that was executed before July 1, 2013, with payment from state funds made after June 30, 2013.

The bill provides that records available on the contract tracking system must not reveal information made confidential or exempt by law. If a party to the contract or procurement document discovers that an electronic copy of the contract or procurement document has not been properly redacted, the bill provides a process for the entity to follow, upon being notified or discovering the error. The entity must immediately remove the contract or procurement document, redact the confidential or exempt information, and republish the contract or procurement document to the website within seven days. Entities must notify the CFO upon becoming aware that an electronic copy of a contract or procurement document posted on the website has not been properly redacted.

The bill provides that requests to redact confidential or exempt information must be made in writing and delivered by mail, facsimile, electronic transmission, or in person to the state entity that is a party to the contract. The request must identify the specific document, page numbers including the confidential or exempt information, the information that is confidential or exempt, and the applicable statutory exemption. The bill specifies that no fee can be charged for a redaction made pursuant to the request. The bill also provides that a party to a contract may petition the circuit court for an order directing compliance with provisions of this section.

The contract tracking system must display a notice of the right of an affected party to request redaction of confidential or exempt information.

The bill provides that the CFO, DFS, and any officer, employee, or contractor thereof, is not responsible for redacting confidential or exempt information from an electronic copy of a contract or procurement document posted by another state entity on the contract tracking system. In addition, the CFO, DFS, and any officer, employee, or contractor thereof, is not liable for the failure of a state entity to redact confidential or exempt information.

The bill provides that posting the contract on the contract tracking system does not supersede the duty of an entity to respond to a public records request or to a subpoena. The bill provides that a request or subpoena for a copy, or certified copy, of a contract or procurement document shall be made to the state entity that is party to the contract, not the CFO, DFS, and any officer, employee, or contractor thereof, unless the CFO or department is a party to the contract.

The bill requires the CFO to use appropriate internet security measures to ensure that no person has the ability to alter or modify records available on the website. Additionally, the CFO may regulate and prohibit the posting of records that could:

- Facilitate identity theft or fraud such as signatures;
- Compromise or reveal an agency investigation;
- Reveal the identity of undercover personnel;
- Reveal proprietary business information or trade secrets;
- Reveal an individual's medical information; or

- Reveal any other record or information that the CFO believes may jeopardize the health, safety, or welfare of the public.

The bill also provides that the CFO may adopt rules to administer the contract tracking system.

In lieu of posting in the contract tracking system administered by the CFO, the Department of Legal Affairs and the Department of Agriculture and Consumer Services may post the information described in the newly amended s. 215.985(14)(a)(b)(c), F.S., relating to contract and procurement documents, to its own agency-managed website. The data posted on the agency-managed website must be downloadable in a format that allows offline analysis.

Additional Provisions

The bill repeals an exemption from the Act for a municipality or special district that has total annual revenues of less than \$10 million.

User Experience Task Force

The bill creates a User Experience Task Force to develop and recommend a design for consolidating existing state-managed transparency websites into a single website. If necessary, the recommendation of the task force may include a complete redesign of data submission and inclusion.

The task force will be comprised of four members, one of each of whom will be designated by:

- The Governor;
- The Chief Financial Officer;
- The President of the Senate; and
- The Speaker of the House of Representatives.

The task force shall elect a chair from among its members. In addition, the officers of the task force may assign staff to assist the task force in performing its required duties.

By October 1, 2013, the task force must submit a work plan to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives that includes, but is not limited to, a review of:

- All relevant state-managed transparency websites.
- Options for reducing the number of websites without losing detailed data.
- Options for linking expenditure data with related invoices and contracts.

By March 1, 2014, the task force must submit its complete recommendation to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives. The recommendation must provide an intuitive and cohesive user experience that allows users to move easily between varied types of related data. If necessary, the recommendation may include a complete redesign of data submission and inclusion. The recommendation must also include a cost estimate for implementation of the design.

The section creating the task force expires June 30, 2014.

The bill provides an effective date of July 1, 2013.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill will have an indeterminate fiscal impact on state entities due to the responsibility for complying with the uploading of contract and formal procurement documents. State entities could require training on the contract tracking system and on public records exemptions. State entities could also incur costs associated with redacting the confidential or exempt information prior to uploading the contract or formal procurement documents.

The EOG is estimated to incur insignificant annual expenditures to host the new web sites. The DMS is estimated to incur \$25,050 in nonrecurring costs for enhancing the existing employee and officer payroll information website. It is anticipated that the provisions of the bill will be handled within existing agency resources.

The bill conforms to the General Appropriation Act for FY 2013-2014, as Specific Appropriations 2255, 2257, 2258, 2259, and 2264 provide \$713,167 and 4.00 FTE to implement the CFO's FACTS System.