

ASSEMBLY BILL

No. 1843

**Introduced by Assembly Member Garrick
(Coauthors: Assembly Members DeVore, Houston, Maze, and
Portantino)**

(Coauthors: Senators Harman, Runner, and Wyland)

January 28, 2008

An act to add Section 12414 to the Government Code, relating to the Controller.

LEGISLATIVE COUNSEL'S DIGEST

AB 1843, as introduced, Garrick. State government: Controller: duties.

Existing law requires the Controller to keep and state all accounts in which the state has an interest, receive certain audit reports, and superintend the fiscal concerns of the state. Existing law also requires the Department of Technology Services to serve as a general purpose technology services provider for the common technology needs of executive branch entities.

This bill would require the Controller, with the assistance of the Department of Technology Services, to create and maintain an easily searchable database, accessible on a Web site on the Internet and with a link from the State of California Web site, providing information to the public, at no cost, regarding how the state spends state funds, as defined, on certain programs and whether the state achieved the intended results of those programs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12414 is added to the Government Code,
2 to read:

3 12414. (a) The Legislature finds and declares that taxpayers
4 should be able to easily access information regarding how the state
5 is spending their tax dollars on certain programs and whether the
6 state has achieved the intended results of those programs.
7 Therefore, it is the intent of the Legislature to require the
8 Controller, with the assistance of the Department of Technology
9 Services, to create and maintain an easily searchable database
10 accessible on a Web site providing information to the public, at
11 no cost, regarding how the state spends tax revenues on certain
12 programs and whether the state achieved the intended results of
13 those programs.

14 (b) In this section the following definitions apply, unless the
15 context or subject matter requires otherwise:

16 (1) "Database" means all of the following information available
17 in an easily searchable electronic format:

18 (A) The name and principal location of each recipient of state
19 funds.

20 (B) The amount of state funds provided to a recipient.

21 (C) The state agency that provided state funds to a recipient.

22 (D) The specific fund or funds from which the state agency
23 received the state funds it provided to the recipient.

24 (E) The name and description of each program funded by state
25 funds, including a description of the intended outcome or benefit
26 of the program. Where possible, the Web site shall provide a
27 hyperlink to the applicable program, grant, or contract.

28 (F) The results for past expenditures of state funds to that
29 program, if available.

30 (G) State audits or reports relating to the recipient of state funds
31 or a program, including a hyperlink to an audit or a report, if
32 available.

33 (H) Any other information specified by the Controller.

34 (2) "Recipient" means a corporation, association, union, limited
35 liability company, limited liability partnership, nonprofit
36 corporation, grantee, contractor, city, county, city and county, local
37 government entity, and any other legal business entity. "Recipient"
38 does not include an individual recipient of state funds.

1 (3) “State agency” means a state department, agency, office,
2 board, commission, bureau, or division, or the California State
3 University.

4 (4) “State audit or report” shall include any audit or report issued
5 by the Controller, State Auditor, a legislative committee, or state
6 executive entity relating to the recipient of state funds.

7 (5) “State funds” means state tax revenues, state tax exemptions,
8 or state tax credits.

9 (6) “Web site” means a Web site, accessible on the Internet and
10 with a link from the State of California Web site, that allows the
11 public, at no cost, to easily search for all of the information in the
12 database.

13 (c) By January 1, 2010, the Controller, with the assistance of
14 the Department of Technology Services, shall develop, operate,
15 and maintain a Web site providing access to the information in the
16 database regarding the 2008–09 fiscal year.

17 (d) (1) Effective July 31, 2010, and by every July 31 thereafter,
18 the Controller shall update the database for the prior fiscal year.
19 The Controller may update the database throughout a fiscal year
20 as new information becomes available.

21 (2) A state agency shall provide the Controller with the
22 information required to be included in the database no later than
23 30 days after the information becomes available to the state agency.
24 The Controller shall provide guidance to a state agency to ensure
25 compliance with this section.

26 (3) The Controller shall maintain information on the database
27 for a minimum of 10 years.

28 (e) The Controller shall not be considered in compliance with
29 this section if the information required to be in the database is not
30 available in an easily searchable manner, or the public is redirected
31 to another state Web site, unless the other state Web site has the
32 required information from all state agencies and each category of
33 required information can be searched electronically in a single
34 search.