

AMENDED IN SENATE APRIL 10, 2008

AMENDED IN SENATE APRIL 2, 2008

**SENATE BILL**

**No. 1494**

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**Introduced by Senators McClintock and Florez**

February 21, 2008

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An act to add Title 21 (commencing with Section 99600) to the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1494, as amended, McClintock. State agency Web sites: information.

Existing law imposes specified duties on state governmental agencies and provides for public access to government records.

This bill would require each state department and agency to develop and operate a Web site accessible by the public that includes specified information relating to expenditures of state funds, defined to include, among other things, grants, contracts, subcontracts, purchase orders, and tax refunds, rebates, and credits.

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. Title 21 (commencing with Section 99600) is  
2 added to the Government Code, to read:

1 TITLE 21. TAXPAYER TRANSPARENCY ACT OF 2008

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3 99600. This act shall be known and may be cited as the  
4 Taxpayer Transparency Act of 2008.

5 99601. (a) The following definitions apply for purposes of  
6 this title:

7 (1) "Searchable Web site" means a Web site that allows the  
8 public to search and aggregate information described in Section  
9 99602 *and is accessible from any department's or agency's*  
10 *homepage.*

11 (2) "Expenditure of state funds" means the expenditure or  
12 transfer of any state appropriated or nonappropriated funds in an  
13 amount in excess of one thousand dollars (\$1,000) by any  
14 department, agency, office or entity of state government ~~in forms~~  
15 *the form of*, including, but not limited to *any of the following*:

- 16 (A) Grants.
- 17 (B) Contracts.
- 18 (C) Subcontracts.
- 19 (D) Purchase orders.
- 20 (E) Tax refunds, rebates, and credits.
- 21 (F) Expenditures from ~~the Reserve for Revenue Fluctuations a~~  
22 *reserve account for use in the event of any revenue fluctuations.*

23 (b) "Expenditure of state funds" shall not include the transfer  
24 of funds between two departments, agencies, offices or entities of  
25 state government, or the transfer of state or federal assistance  
26 payments to an individual recipient or beneficiary of those  
27 assistance payments.

28 99602. (a) No later than ~~January~~ *July 1, 2009*, with assistance  
29 from the office of the State Chief Information Officer, the  
30 Department of Finance, *the Department of General Services* and  
31 the Governor's office, each state department and agency shall  
32 develop and operate a Web site, accessible by the public at no cost,  
33 that includes *all of the following*:

- 34 (1) For each expenditure of state funds, information including,  
35 but not limited to *the following*:
  - 36 (A) The name and principal location or residence of each entity  
37 or other recipient of the funds.
  - 38 (B) The amount of expenditure.
  - 39 (C) The type of transaction.

- 1 (D) The identity of the department, agency, office, or other  
2 entity of state government making the expenditure.
- 3 (E) The budget program source for the expenditure.
- 4 (F) A description of the purpose of the expenditure.
- 5 (G) A description of any item purchased pursuant to the  
6 expenditure.
- 7 (H) Any other information deemed relevant by the Department  
8 of Finance, *the office of the State Chief Information Officer, the*  
9 *Department of General Services*, and the Governor's office.
- 10 (2) The ability of the user to view information on the Web site  
11 in a format that is searchable and that may be downloaded and  
12 managed by the user with appropriate software.
- 13 (3) The ability of users to provide input to ~~the Department of~~  
14 ~~Finance~~ *each respective department or agency* regarding the utility  
15 of the site and recommendations for improvements to the site.
- 16 (b) The Web site shall include information for the 2007–08  
17 fiscal year no later than ~~January~~ *July 1, 2009*, and thereafter, the  
18 Web site *shall be updated and* shall include information for the  
19 most recently completed ~~fiscal year by June 30th each year.~~ *month.*
- 20 (c) Each department, agency, and entity of state government  
21 shall fully cooperate with the Department of Finance, *the office of*  
22 *the State Chief Information Officer, the Department of General*  
23 *Services*, and the Governor's office in compiling and providing  
24 all information necessary to comply with the requirements of this  
25 section.
- 26 (d) Nothing in this section requires disclosure of information  
27 deemed confidential or otherwise exempt from disclosure under  
28 state or federal law.