

- SUBJECT:** Posting state agency expenditures on the Internet
- COMMITTEE:** Government Reform — committee substitute recommended
- VOTE:** 6 ayes — Callegari, Berman, Leibowitz, Miles, Rodriguez, W. Smith
0 nays
1 absent — Pitts
- WITNESSES:** No public hearing
- BACKGROUND:** In January, Comptroller Susan Combs posted information on expenditures for her department at the website www.window.state.tx.us. In February, information was added to the website for eight state agencies — Texas Education Agency; Texas Workforce Commission; Health and Human Services Commission; Department of Family and Protective Services; Department of Aging and Disability Services; Department of Assistive and Rehabilitation Services; Texas Department of Housing and Community Affairs and Department of State Health Services. In April, information was also posted on the website for 12 additional agencies — Texas Commission on Environmental Quality, Texas Department of Transportation, Texas Department of Public Safety, Texas Public Finance Authority, Employees Retirement System of Texas, Texas Department of Insurance, Texas Building and Procurement Commission, Teacher Retirement System of Texas, Texas Department of Criminal Justice, Texas Department of Information Resources, Texas Water Development Board and Texas Parks and Wildlife Department.
- DIGEST:** CSHB 3430 would amend Government Code, ch. 403, subch. B and add sec. 403.024 to require that the state comptroller establish and post on the Internet a searchable database on state expenditures, including contracts and grants. The database would have to include the expenditures by:
- amount, date, payor and payee;
 - object of the payment to the warrant or check register level; and
 - class and item level of the good or service, as appropriate.

The database would be free to the public, and the comptroller would enhance and organize information provided on the website. Those accessing the information would be able to:

- search and aggregate state funding data;
- determine the total amount of funding awarded by a state agency to a person; and
- download information from a search of the database.

The comptroller would be required to link the database with the TexasOnline Project maintained by the Department of Information Resources and with other existing state agency databases.

CSHB 3430 would prohibit the comptroller from allowing public access to home addresses or other information about private individuals protected from disclosure. The bill would provide an affirmative defense to the comptroller or an employee of the comptroller's office if they had relied on a determination of another state agency about the confidentiality of the information about that agency's expenditures.

The bill would take effect on October 1, 2007.

**SUPPORTERS
SAY:**

CSHB 3430 would grant readily accessible and searchable data on expenditures by state agencies. Most of this information already is public record but currently remains scattered among scores of written reports and agency websites. A more comprehensive approach to provide this information to citizens is particularly important now that the state budget has grown in recent years to more than \$160 billion per biennium. The Internet has provided additional methods for individuals to find information independently of government and the media. Letting Texans know the level of detail of the state budget, down to the comptroller's budget for pencils, would serve as an additional system of checks and balances.

The bill would clarify the comptroller's authority to maintain and further develop the Window on State Government website. Other state agencies, besides the 20 that already have signed up for the program, would be required to participate. Also, the bill would help ensure the privacy of personal information of those who received contracts and grants from the state.

OPPONENTS
SAY:

No apparent opposition

NOTES:

The LBB fiscal note estimates that the bill would cost \$405,000 in fiscal 2008 to establish the website.

The committee substitute added provisions that would preclude release of personal information; provide an affirmative defense to prosecution if the comptroller relied on information from other state agencies on the release of private information; and require cooperation with the Department of Information Resources.

A related bill, HB 42 by Paxton, which would require a searchable Internet database for major state contracts, was reported favorably as substituted from the Government Reform Committee on April 12 and recommended for the Local and Consent Calendar.