

## **BILL ANALYSIS**

Senate Research Center  
82R5624 KJM-F

S.B. 970  
By: Rodriguez  
Finance  
5/6/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 3430, enacted by the 80th Legislature, Regular Session, 2007, authorized the comptroller of public accounts (comptroller) to establish a searchable state expenditure database for public review and access. This database includes a compilation of state expenditures including contracts and grants, the amount, date, payor and payee of expenditures, and a listing of state expenditures by object.

S.B. 970 expands the database to include state revenues and identify the amount, date, and payor of the state revenue. It also requires the listing of state expenditures and state revenues to be categorized and report which county the state expenditure is made in and state revenue is collected in. S.B. 970 also provides that state expenditure and state revenue reviews of the database must be searchable by county. Furthermore, the database must allow a search of the total amount of state revenue collected in a county and the total amount of state expenditures made in a county.

As proposed, S.B. 970 amends current law relating to information included in a searchable state revenue and expenditure database maintained by the comptroller.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 403.024, Government code, to read as follows:

Sec. 403.024. SEARCHABLE STATE REVENUE AND EXPENDITURE DATABASE.

SECTION 2. Amends Sections 403.024, Government Code, by amending Subsections (b), (c), (d), (e), (g), and (h), as follows:

(b) Requires the comptroller of public accounts (comptroller) to establish and post on the Internet a database of state revenues and expenditures, including contracts and grants, that is electronically searchable by the public except as provided by Subsection (d). Requires that the database include:

- (1) the amount, date, payor, and payee of expenditures;
- (2) a listing of state expenditures by object of expense with links to the warrant or check register level, to the extent maintained by state agency accounting systems in a reportable format, class and item levels, category of expenditure, and county in which the state expenditure is made;
- (3) the amount, date, and payor of state revenue;

(4) a listing of state revenues by source, object, category of revenue, and county in which the revenue is collected; and

(5) a description of each category and object of revenue or expenditure.

Makes nonsubstantive changes.

(c) Requires that the database, at a minimum, allow users to:

(1) search and aggregate state revenues and expenditures, rather than state funding, by any element of the information, including a search by the county in which the state expenditure is made, and the state revenue is collected;

(2) ascertain through a single search the total amount of state funding awarded to a person by a state agency, the amount of state revenue collected in each county, and the amount of state expenditures in each county; and

(3) without additional authorization from the state, download and reproduce information yielded by a search of the database with a citation to the database, the date the database was last updated, and the date the information was downloaded included in the downloaded information.

(d) Prohibits the comptroller from allowing public access under this section to a payee's address, except that the comptroller is authorized to allow public access under this section to information identifying the county in which the payor or payee is located. Prohibits the comptroller from allowing public access under this section to information that is identified by a state agency or county as excepted from required disclosure under Chapter 552 (Public Information) or as confidential. Provides that it is an exception to the application of Section 552.352(a) (relating to an offense if a person distributes information considered confidential) that the comptroller or an officer or employee of the comptroller's office posted information under this section in reliance on a determination made by a state agency or county about the confidentiality of information relating to the agency's or county's revenues or expenditures. Provides that the comptroller or an officer or employee of the comptroller's office is immune from any civil liability for posting confidential information under this section if the comptroller, officer, or employee posted the information in reliance on a determination made by a state agency or county about the confidentiality of information relating to the agency's or county's revenues or expenditures.

(e) Requires the state agency or county, rather than the state agency, to the extent any information required to be in the database is already being collected or maintained by a state agency or county, rather than a state agency, to provide that information to the comptroller for inclusion in the database.

(g)-(h) Makes a conforming change.

SECTION 3. Requires the comptroller to modify the Internet database established under Section 403.024, Government Code, as necessary to conform to the requirement of that section, as amended by this Act, not later than January 1, 2012.

SECTION 4. Effective date: upon passage or September 1, 2011.