

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 107 Session of  
2009

INTRODUCED BY PILEGGI, ROBBINS, ERICKSON, VANCE, SMUCKER,  
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BRUBAKER, YAW, WARD, BAKER, LOGAN, BOSCOLA AND FERLO,  
JANUARY 29, 2009

AS AMENDED ON THIRD CONSIDERATION, JULY 16, 2009

## AN ACT

1 Requiring the posting of certain governmental salary information  
2 on the Internet.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Governmental  
7 Salary Information Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Commonwealth agency." Any of the following:

13 (1) The Governor, Lieutenant Governor, Attorney General,  
14 Auditor General, State Treasurer and the departments,  
15 offices, boards, authorities, commissions and other agencies  
16 of the executive branch of the government of the

Commonwealth, whether or not subject to the supervision and control of the Governor.

(2) The legislative branch of government of the Commonwealth.

(3) Any court and any office of the unified judicial system of the Commonwealth.

"Local agency." A county, township, borough, town, city, school district, local authority, commission or other similar entity performing a governmental function.

#### Section 3. Online posting of salaries.

(a) General rule.--The State Treasurer shall establish an official Internet website where it shall post monthly the following information concerning the officers and employees described in section 4:

(1) Name.

(2) Title.

(3) Agency, department or other institution.

(4) Annual salary rate or other rate of compensation.

(5) Supplemental compensation for the current month. For purposes of this section, supplemental compensation shall not include reimbursement payments to employees for appropriate business expenditures, or payments for unused vacation or unused sick leave. Information submitted under this paragraph shall be designated in writing as supplemental income.

(6) The aggregate amount of supplemental compensation for the year.

(b) Legislative employees.--For each officer or employee of the Senate and the House of Representatives, in addition to the information required by section 3, the State Treasurer shall separately indicate whether the officer or employee is paid with

1 funds controlled by the majority caucus, funds controlled by the  
2 minority caucus or funds appropriated to compensate the staff of  
3 the officers elected by the Senate or the House of  
4 Representatives.

5 (c) Data.--Each agency shall create and maintain the data  
6 required by subsection (a) in ASCII-delimited text format, Excel  
7 spreadsheet format or another format mutually agreed upon by the  
8 agency and the State Treasurer. The data shall be submitted to  
9 the State Treasurer each month.

10 (d) Accuracy.--Each agency is responsible for verifying the  
11 accuracy and completeness of the information that it submits to  
12 the State Treasurer.

13 Section 4. Applicability.

14 (a) General rule.--The provisions of section 3 shall apply  
15 to all officers and employees of a Commonwealth agency.

16 (b) Redaction.--At the request of a Commonwealth agency, the  
17 ~~State Treasurer may redact the name of an individual who~~ NAME OF  
18 AN INDIVIDUAL MAY BE REDACTED IF THE INDIVIDUAL is regularly  
19 involved in the conduct of undercover criminal investigations if  
20 ~~the State Treasurer determines it~~ AGENCY DETERMINES THE  
21 REDACTION is necessary to protect the safety of the individual.

22 Section 5. Local agencies.

23 (a) General rule.--All local agencies shall post on their  
24 official Internet websites, and update on a quarterly basis, the  
25 following concerning officers and employees:

- 26 (1) Name.
- 27 (2) Title.
- 28 (3) Agency, department or other institution.
- 29 (4) Annual salary rate or other rate of compensation.
- 30 (5) Supplemental compensation for the current quarter.

1 For purposes of this section, supplemental compensation shall  
2 not include reimbursement payments to employees for  
3 appropriate business expenditures, or payments for unused  
4 vacation or unused sick leave.

5 (b) Exception.--If the local agency does not maintain an  
6 official Internet website, the information shall be made  
7 available electronically or in writing upon request within five  
8 days.

9 (c) Notification.--Each local agency shall notify the State  
10 Treasurer, in a form and structure prescribed by the State  
11 Treasurer, when it has complied with this act. When applicable,  
12 the notification shall include the main Internet website page  
13 address where the data received pursuant to subsection (a) is  
14 located.

15 (d) Directory.--The State Treasurer shall maintain an  
16 Internet website-based directory of the local agency Internet  
17 website page addresses received pursuant to subsection (c) on  
18 the official Internet website created pursuant to subsection  
19 (a).

20 (E) REDACTION.--A LOCAL AGENCY MAY REDACT THE NAME OF AN  
21 INDIVIDUAL IF THE INDIVIDUAL IS REGULARLY INVOLVED IN THE  
22 CONDUCT OF UNDERCOVER CRIMINAL INVESTIGATIONS AND THE LOCAL  
23 AGENCY DETERMINES THE REDACTION IS NECESSARY TO PROTECT THE  
24 INDIVIDUAL'S SAFETY.

25 Section 6. Commercial use of data prohibited.

26 It shall be unlawful for any person to use the contents of  
27 the posting of information under this act for any commercial  
28 purpose whatsoever.

29 SECTION 7. PUBLIC INFORMATION.

30 NOTHING IN THIS ACT SHALL ELIMINATE THE DUTY OF AN AGENCY TO

1 PROVIDE THE SALARY OF AN OFFICER OR EMPLOYEE OF A COMMONWEALTH  
2 AGENCY OR A LOCAL AGENCY UNDER THE ACT OF FEBRUARY 14, 2008  
3 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW. HOWEVER, A  
4 COMMONWEALTH AGENCY OR LOCAL AGENCY SHALL NOT BE REQUIRED TO  
5 RELEASE ANY TAX FORM REQUIRED UNDER THE INTERNAL REVENUE CODE OF  
6 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 1 ET SEQ.) OR UNDER STATE  
7 OR LOCAL TAX LAW.

8 Section 7 8. Effective date.



9 This act shall take effect July 1, 2009, or immediately,  
10 whichever is later.