

AMENDMENTS TO SENATE BILL NO. 444

Sponsor: SENATOR PILEGGI

Printer's No. 2226

1 Amend Bill, page 1, line 15, by inserting after "general,"
2 for extension of time,

3 Amend Bill, page 1, line 18, by inserting after "contracts"
4 and for applicability

5 Amend Bill, page 1, line 23, by striking out "information"
6 and inserting

7 information," "requester"

8 Amend Bill, page 2, line 12, by inserting after "of"

9 commercial

10 Amend Bill, page 3, lines 8 through 18, by striking out all
11 of said lines and inserting

12 "Local agency." Any of the following:

13 (1) Any political subdivision, intermediate unit,
14 charter school, cyber charter school or public trade or
15 vocational school.

16 (2) Any local, intergovernmental, regional or municipal
17 agency, authority, council, board, commission or similar
18 governmental entity. This paragraph includes an economic
19 development authority and an industrial development
20 authority. The term does not include an office of an elected
21 tax collector.

22 (3) Any campus police department of a State-owned or
23 State-related college or university.

24 Amend Bill, page 3, line 25, by inserting after "authority;"

25 employee benefit election information;

26 Amend Bill, page 3, by inserting between lines 27 and 28

27 "Requester." A person that is a legal resident of [the
28 United States] this Commonwealth and requests a record pursuant
29 to this act. The term includes an agency.

30 * * *

1 Amend Bill, page 4, line 30, by striking out "Commonwealth"
2 and inserting
3 local

4 Amend Bill, page 7, line 12, by inserting after "institution"
5 or the Department of Corrections

6 Amend Bill, page 8, line 23, by striking out "agency's"

7 Amend Bill, page 8, line 23, by inserting after "officer"
8 of the agency that received the request

9 Amend Bill, page 8, line 24, by inserting a bracket before
10 "should"

11 Amend Bill, page 8, line 24, by inserting after "should"
12] shall include the physical mailing address of the
13 requester, shall

14 Amend Bill, page 10, by inserting between lines 12 and 13
15 (e) Home address.--If a request includes a home address of
16 an employee of the agency, the agency must notify the subject of
17 the request at least 14 days prior to release of the record. If
18 the subject of the request notifies the agency that the
19 exception under section 708(b)(1)(ii) applies, the agency shall
20 determine if the home address shall be withheld.

21 Amend Bill, page 10, line 23, by striking out "public" and
22 inserting
23 municipal

24 Amend Bill, page 11, lines 6 through 17, by striking out all
25 of said lines

26 Amend Bill, page 12, line 13, by inserting after "to"
27 or for the benefit of

28 Amend Bill, page 14, line 3, by striking out "streets" and
29 inserting
30 street

31 Amend Bill, page 14, line 5, by striking out "bank account
32 numbers, bank" and inserting

1 financial institution account numbers,

2 Amend Bill, page 14, line 6, by striking out "or" and
3 inserting

4 and

5 Amend Bill, page 14, line 27, by inserting after "901"
6 , 902

7 Amend Bill, page 15, by inserting between lines 17 and 18
8 Section 902. Extension of time.

9 (a) Determination.--Upon receipt of a written request for
10 access, the open-records officer for an agency shall determine
11 if one of the following applies:

12 (1) the request for access requires redaction of a
13 record in accordance with section 706;

14 (2) the request for access requires the retrieval of a
15 record stored in a remote location;

16 (3) a timely response to the request for access cannot
17 be accomplished due to bona fide and specified staffing
18 limitations;

19 (4) a legal review is necessary to determine whether the
20 record is a record subject to access under this act;

21 (5) the requester has not complied with the agency's
22 policies regarding access to records;

23 (6) the requester refuses to pay applicable fees
24 authorized by this act; [or]

25 (7) the extent or nature of the request precludes a
26 response within the required time period[.];

27 (8) time is required to provide notice under section
28 707(e).

29 (b) Notice.--

30 (1) Upon a determination that one of the factors listed
31 in subsection (a) applies, the open-records officer shall
32 send written notice to the requester within five business
33 days of receipt of the request for access under subsection
34 (a).

35 (2) The notice shall include a statement notifying the
36 requester that the request for access is being reviewed, the
37 reason for the review, a reasonable date that a response is
38 expected to be provided and an estimate of applicable fees
39 owed when the record becomes available. If the date that a
40 response is expected to be provided is in excess of 30 days,
41 following the five business days allowed for in section 901,
42 the request for access shall be deemed denied unless the
43 requester has agreed in writing to an extension to the date
44 specified in the notice.

45 (3) If the requester agrees to the extension, the
46 request shall be deemed denied on the day following the date

1 specified in the notice if the agency has not provided a
2 response by that date.

3 Amend Bill, page 15, line 26, by inserting after "postmark"
4 or e-mail

5 Amend Bill, page 18, line 3, by striking out "under
6 subsection (c)"

7 Amend Bill, page 19, line 16, by inserting after "search,"
8 retrieval,

9 Amend Bill, page 19, by inserting between lines 22 and 23

10 (3) A fee may not be charged under paragraph (2) for the
11 first hour of search and retrieval time for all commercial
12 requests from a single requester in a 90-day period.

13 Amend Bill, page 22, by inserting between lines 6 and 7

14 (3) The executive director shall promulgate regulations
15 to administer this act. Initial rulemaking under this
16 paragraph shall be initiated by July 1, 2015.

17 Amend Bill, page 22, line 20, by inserting a bracket before
18 "Reporting."

19 Amend Bill, page 22, line 20, by inserting after "Reporting."
20] Filing.

21 Amend Bill, page 22, line 26, by inserting a bracket before
22 "report."

23 Amend Bill, page 22, line 26, by inserting after "report."
24] filing.

25 Amend Bill, page 22, line 27, by inserting a bracket before
26 "report"

27 Amend Bill, page 22, line 27, by inserting after "report"
28] filing

29 Amend Bill, page 23, line 12, by inserting after "(2)."

30 Faculty members' salaries shall be presented in salary
31 ranges.

32 Amend Bill, page 23, line 13, by inserting a bracket before

1 "report"

2 Amend Bill, page 23, line 13, by inserting after "report"

3] filing

4 Amend Bill, page 29, line 20, by striking out "reports" and
5 inserting

6 filings

7 Amend Bill, page 30, line 13, by striking out "a section" and
8 inserting

9 sections

10 Amend Bill, page 30, lines 15 through 30; page 31, line 1, by
11 striking out all of said lines on said pages and inserting

12 (a) Scope.--By May 30 of each year, a State-related
13 institution shall file with the Governor's Office, the Secretary
14 of the Senate, the Chief Clerk of the House of Representatives
15 and the State Library an annual list of contracts in excess of
16 \$5,000 for the purchase of all goods and third-party services.

17 (b) Contents.--The list shall include all of the following:

18 (1) Date of execution.

19 (2) Amount of the contract.

20 (3) Beginning date of the contract.

21 (4) End date of the contract, if applicable.

22 (5) The name and address of the vendor.

23 (6) Subject matter of the contract.

24 (c) Privilege.--This section shall not apply to a contract
25 for services protected by a privilege.

26 (d) Evidence.--This section:

27 (1) shall apply to a purchase order evidencing new
28 obligations; but

29 (2) shall not apply to a purchase order evidencing
30 fulfillment of an existing contract.

31 (e) Posting.--Information under this section shall be posted
32 and maintained on the institution's Internet website.

33 Amend Bill, page 31, line 4, by striking out the comma after
34 "1503" and inserting

35 and

36 Amend Bill, page 31, line 5, by striking out "AND 1505"