

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1461 Session of
2009

INTRODUCED BY CHRISTIANA, FLECK, GABLER, MARSHALL AND REED,
MAY 7, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 7, 2009

AN ACT

1 Amending the act of February 14, 2008 (P.L.6, No.3), entitled
2 "An act providing for access to public information, for a
3 designated open-records officer in each Commonwealth agency,
4 local agency, judicial agency and legislative agency, for
5 procedure, for appeal of agency determination, for judicial
6 review and for the Office of Open Records; imposing
7 penalties; providing for reporting by State-related
8 institutions; requiring the posting of certain State contract
9 information on the Internet; and making related repeals,"
10 further providing for submission and retention of contracts
11 and for public availability of contracts.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Sections 1701(a) and 1702(a) of the act of
15 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law,
16 are amended to read:

17 Section 1701. Submission and retention of contracts.

18 (a) General rule.--Whenever any Commonwealth agency,
19 legislative agency or judicial agency shall enter into any
20 contract [involving any property, real, personal or mixed of any
21 kind or description or any contract for personal services] where
22 the consideration, including contingent liabilities, involved in

1 the contract is or could be \$5,000 or more, a copy of the
2 contract shall be filed with the Treasury Department within ten
3 days after the contract is fully executed on behalf of the
4 Commonwealth agency, legislative agency or judicial agency or
5 otherwise becomes an obligation of the Commonwealth agency,
6 legislative agency or judicial agency. [The provisions of this
7 chapter shall not apply to contracts for services protected by a
8 privilege.] The provisions of this chapter shall not apply to a
9 purchase order evidencing fulfillment of an existing contract
10 but shall apply to a purchase order evidencing new obligations.
11 The following shall apply:

12 (1) Each Commonwealth agency, legislative agency and
13 judicial agency shall submit contracts in a form and
14 structure mutually agreed upon by the Commonwealth agency,
15 legislative agency or judicial agency and the State
16 Treasurer.

17 (2) [The Treasury Department may require each] Each
18 Commonwealth agency, legislative agency or judicial agency
19 [to] shall provide a summary with each contract, which shall
20 include the following:

- 21 (i) Date of execution.
22 (ii) Amount of the contract.
23 (iii) Beginning date of the contract.
24 (iv) End date of the contract, if applicable.
25 (v) Name of the agency entering into the contract.
26 (vi) The name of all parties executing the contract.
27 (vii) Subject matter of the contract.

28 Each agency shall create and maintain the data under this
29 paragraph in an ASCII-delimited text file, spreadsheet file
30 or other file provided by Treasury Department regulation.

1 * * *

2 Section 1702. Public availability of contracts.

3 (a) General rule.--The Treasury Department shall make each
4 contract filed pursuant to section 1701 available for public
5 inspection [either] by posting [a] the copy of the contract on
6 the Treasury Department's publicly accessible Internet website
7 [or by posting a] and the contract summary on the department's
8 publicly accessible Internet website. All postings shall be
9 interoperative with each department's site on the State portal
10 of the Internet and with the appropriation line within the
11 appropriate general appropriation act from which funds for the
12 contract are appropriated. The Office of Administration, the
13 Administrative Office of the Pennsylvania Courts and the
14 Legislative Data and Processing Center shall provide assistance
15 to the Treasury Department.

16 * * *

17 Section 2. This act shall take effect in 60 days.