

AN ACT

1 Amending the act of June 30, 2011 (P.L.81, No.18), entitled "An
2 act providing for the establishment of a searchable budget
3 database-driven Internet website detailing certain
4 information concerning taxpayer expenditures and
5 investments," further providing for definitions, for
6 searchable budget database and for administration; and making
7 editorial changes.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The title of the act of June 30, 2011 (P.L.81,
11 No.18), known as the Pennsylvania Web Accountability and
12 Transparency (PennWATCH) Act, is amended to read:

AN ACT

14 Providing for the establishment of a searchable [budget]
15 database-driven Internet website detailing certain
16 information concerning taxpayer expenditures and investments
17 and the sale or use of personal nonpublic information.

18 Section 2. Section 2 of the act is amended by adding
19 definitions to read:

20 Section 2. Definitions.

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

4 * * *

5 "Personal nonpublic information." Information collected by
6 or at the direction of a Commonwealth agency, political
7 subdivision or instrumentality of a political subdivision:

8 (1) from or regarding an individual; or

9 (2) in the form of nonpublic property, images, data or
10 other information collected through a publicly owned device
11 or network.

12 * * *

13 "Third-party agent." A person that has been contracted to
14 collect, maintain, store or process, or is otherwise permitted
15 to access, personal nonpublic information in connection with
16 providing services to a Commonwealth agency, political
17 subdivision or instrumentality of a political subdivision.

18 Section 3. Section 3 heading and (a) of the act are amended
19 to read:

20 Section 3. Searchable [budget] database.

21 (a) Development.--By December 31, 2012, the Governor's
22 Office of Administration shall develop, implement and maintain a
23 single, searchable, public Internet website to be called
24 PennWATCH. The website shall provide the annual appropriation
25 and funding action or expenditure information paid to a
26 Commonwealth agency or other entity from Federal or State
27 funds[.], in addition to the nature and extent of personal
28 nonpublic information provided by a Commonwealth agency,
29 political subdivision or instrumentality of a political
30 subdivision to a third-party agent. Information on the website

1 shall include:

2 (1) The name and address of the Commonwealth agency or
3 other entity receiving funding and the applicable identifier
4 and classification under the vendor identification system
5 under section 5 of the entity receiving a payment.

6 (2) The amount of the funding action or expenditure.

7 (3) The agency initiating the funding action or
8 expenditure.

9 (4) The applicable appropriation and the appropriation
10 fiscal year from which the funding action or expenditure is
11 made.

12 (5) A counter to show the number of times the website is
13 accessed.

14 (6) The funding source.

15 (7) The following in regard to personal nonpublic
16 information under the control of a third-party agent:

17 (i) The name of the third-party agent being utilized
18 by a Commonwealth agency, political subdivision or
19 instrumentality of the political subdivision.

20 (ii) The nature and extent of the personal nonpublic
21 information, including the following:

22 (A) Whether the third-party agent is permitted
23 to share the personal nonpublic information with
24 another person.

25 (B) Whether the third-party agent is permitted
26 to sell any or all of the personal nonpublic
27 information to another person or to otherwise use any
28 or all of the personal nonpublic information for
29 commercial purposes.

30 (iii) The nature and extent of money or other

1 consideration received by the third-party agent regarding
2 the sale of any or all of the personal nonpublic
3 information to another person or regarding the use of any
4 or all of the personal nonpublic information for
5 commercial purposes.

6 * * *

7 Section 4. Section 4(b) and (c) of the act are amended and
8 the section is amended by adding a subsection to read:

9 Section 4. Administration.

10 * * *

11 (a.1) Requirements regarding personal nonpublic
12 information.--Each Commonwealth agency, political subdivision
13 and instrumentality of a political subdivision shall cooperate
14 with the Office of Administration and provide the Office of
15 Administration with the information required under section 3(a)
16 (7) prior to the end of each month.

17 (b) Accuracy.--Each Commonwealth agency, political
18 subdivision and instrumentality of a political subdivision is
19 responsible for verifying the accuracy and completeness of
20 information submitted to the office.

21 (c) Format.--Each Commonwealth agency, political subdivision
22 and instrumentality of a political subdivision shall establish
23 and maintain the information required to be posted under section
24 3 in a manner prescribed by the office. The office shall consult
25 with judicial agencies, legislative agencies and other
26 Commonwealth agencies to develop the format to be utilized.

27 Section 5. This act shall take effect in six months.