

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2147 Session of
2015

INTRODUCED BY CHRISTIANA, CUTLER, MUSTIO, DUSH, FEE, GIBBONS,
GROVE, A. HARRIS, PHILLIPS-HILL, KAUFFMAN, LAWRENCE,
MACKENZIE, MARSICO, MCGINNIS, MILLARD, MOUL, SAYLOR,
STEPHENS, TOEPEL, TOPPER, VEREB AND WARD, JUNE 9, 2016

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 9, 2016

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;
7 establishing an advisory committee; and further providing for
8 vendor identification system and for report to Governor and
9 General Assembly.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2 of the act of June 30, 2011 (P.L.81,
13 No.18), known as the Pennsylvania Web Accountability and
14 Transparency (PennWATCH) Act, is amended by adding definitions
15 to read:

16 Section 2. Definitions.

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

20 "Advisory committee." The advisory committee established

1 under section 4.1.

2 * * *

3 "Director." The Director of the Independent Fiscal Office
4 appointed under 71 Pa.C.S. § 4111 (relating to appointment).

5 * * *

6 "Office." The Independent Fiscal Office established under 71
7 Pa.C.S. § 4103 (relating to office established).

8 * * *

9 "PennWATCH." The searchable budget database established in
10 section 3.

11 * * *

12 Section 2. Section 3(a), (d), (g) and (h) of the act are
13 amended and the section is amended by adding subsections to
14 read:

15 Section 3. Searchable budget database.

16 (a) Development.--[By December 31, 2012, the] The Governor's
17 Office of Administration shall develop, implement and maintain a
18 single, searchable, public Internet website to be called
19 PennWATCH. The website shall provide the annual appropriation
20 and funding action or expenditure information paid to a
21 Commonwealth agency or other entity from Federal or State funds.
22 Information on the website shall include:

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

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

28 (3) The agency initiating the funding action or
29 expenditure.

30 (4) The applicable appropriation and the appropriation

1 fiscal year from which the funding action or expenditure is
2 made.

3 (5) A counter to show the number of times the website is
4 accessed.

5 (6) The funding source.

6 (a.1) Transfer of management.--

7 (1) By December 31, 2016, the Governor's Office of
8 Administration shall transfer or assign all hardware,
9 software, accounts and contracts used to host, manage and
10 support PennWATCH to the office.

11 (2) Upon completion of the transfer under paragraph (1),
12 the Governor's Office of Administration shall cause a notice
13 to be published in the Pennsylvania Bulletin that PennWATCH
14 has been transferred to the office.

15 (3) Following the transfer under paragraph (1), the
16 office, with the advice of the advisory committee, shall
17 continue to develop, implement and maintain PennWATCH.

18 * * *

19 (d) Agency websites.--[By December 31, 2012, the] The
20 website shall include links to each Commonwealth agency Internet
21 website and official Commonwealth agency social media accounts,
22 where available.

23 * * *

24 (f.1) Additional data and reports.--By December 31, 2016,
25 the website shall provide additional data and reports,
26 including:

27 (1) Reports required by statute to be prepared by a
28 Commonwealth agency for submission to the General Assembly.

29 (2) The materials required to be submitted to the
30 General Assembly under section 613 of the act of April 9,

1 1929 (P.L. 177, No. 175), known as The Administrative Code of
2 1929.

3 (3) Revenue estimates required to be prepared under
4 section 618 of The Administrative Code of 1929.

5 (g) Exemption.--Notwithstanding [subsections (a), (b) and
6 (f)] any other provision of this act, the following shall not be
7 included on the website:

8 (1) Records, data or other information exempted from
9 disclosure under 24 Pa.C.S. § 8502(e)(2) (relating to
10 administrative duties of board).

11 (2) Records, data or other information exempted from
12 disclosure under 71 Pa.C.S. § 5902(e)(2) (relating to
13 administrative duties of the board).

14 (3) Records not subject to disclosure under the act of
15 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know
16 Law.

17 (h) Access.--The website shall allow the public to search
18 for and aggregate information at no cost. Where applicable, the
19 information shall also be presented in a downloadable database
20 or spreadsheet format.

21 * * *

22 Section 3. Section 4(a) of the act is amended to read:

23 Section 4. Administration.

24 (a) Commonwealth agency requirements.--Each Commonwealth
25 agency shall cooperate with the [Governor's Office of
26 Administration] office. The following shall apply:

27 (1) Each Commonwealth agency shall provide the office
28 with all appropriation and funding action or expenditure
29 information as required under this act at the time the
30 funding action or expenditure is paid by the State Treasury.

1 (2) Each Commonwealth agency shall provide the office
2 with complement and employment compensation information as
3 required under this act prior to the end of each month.

4 * * *

5 Section 4. The act is amended by adding a section to read:

6 Section 4.1. Advisory committee.

7 (a) Establishment.--The PennWATCH Advisory Committee is
8 established as an advisory committee to the office.

9 (b) Duties.--The advisory committee shall make nonbinding
10 recommendations to the director on ways to improve the
11 usability, function and breadth of information presented on
12 PennWATCH.

13 (c) Consideration of recommendations.--The office shall
14 consider recommendations under subsection (b).

15 (d) Membership.--The committee shall consist of the
16 following members:

17 (1) The Executive Director of the Office of Open
18 Records.

19 (2) Three members appointed by the Governor.

20 (3) Two members appointed by each of the following:

21 (i) The President pro tempore of the Senate.

22 (ii) The Minority Leader of the Senate.

23 (iii) The Speaker of the House of Representatives.

24 (iv) The Minority Leader of the House of
25 Representatives.

26 (4) The director, who shall serve as a nonvoting chair.

27 (e) Duration of appointment.--Appointments made under
28 subsection (d) (2) and (3) shall last for two years.

29 (f) Meetings and recommendations.--

30 (1) Meetings of the advisory committee shall be at the

1 call of the chair but must be held at least annually.

2 (2) At least once each year, the advisory committee
3 shall present recommendations which have been adopted by a
4 majority of the advisory committee to the director. The
5 recommendations shall be published on PennWATCH.

6 (g) Compensation prohibited.--Members may not receive any
7 compensation or reimbursement connected to service on the
8 advisory committee.

9 (h) Expertise of appointed members.--The appointed members
10 under subsection (d) (2) and (3) shall be persons with expertise
11 in fields or practices relating to PennWATCH, including, but not
12 limited to, journalism, government, information technology, data
13 management, website design, open government and fields of
14 research which use data from PennWATCH.

15 Section 5. Sections 5 and 6 of the act are amended to read:
16 Section 5. Vendor identification system.

17 The vendor identification system specified by the [Governor's
18 Office of Administration] office shall be used to provide a
19 common designation of each entity and to facilitate aggregation.

20 Section 6. Report to Governor and General Assembly.

21 The [Governor's Office of Administration] office shall
22 prepare an annual report containing statistical information on
23 the usage and performance of the website. The report shall
24 contain frequency of user access of the website, types of data
25 being accessed [and], website performance and recommendations
26 adopted by the advisory committee. The report shall be submitted
27 to the Governor and the Majority Leader and the Minority Leader
28 of the Senate and the Majority Leader and the Minority Leader of
29 the House of Representatives by March 30 of each year beginning
30 March 30, 2014.

1 Section 6. This act shall take effect as follows:

2 (1) This section and the addition of sections 3(a.1) and
3 4.1 of the act shall take effect immediately.

4 (2) The remainder of this act shall take effect upon the
5 publishing of the notice under section 3(a.1)(2) of the act.