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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1562 Session of  
2017

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INTRODUCED BY CHRISTIANA, BERNSTINE, BLOOM, CHARLTON, A. HARRIS,  
KAUFER, KAUFFMAN, MALONEY, MILLARD, B. MILLER, PETRI,  
PICKETT, SAYLOR, STEPHENS, TOEPEL, GROVE AND GILLEN,  
JUNE 22, 2017

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REFERRED TO COMMITTEE ON COMMERCE, JUNE 22, 2017

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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 Article VI-B of the act of April 9, 1929  
5 (P.L.177, No.175), known as The Administrative Code of 1929.

6 \* \* \*

7 "Office." The Independent Fiscal Office established under  
8 Article VI-B of the act of April 9, 1929 (P.L.177, No.175),  
9 known as The Administrative Code of 1929.

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

12 \* \* \*

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

16 Section 3. Searchable budget database.

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

23 Information on the website shall include:

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

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

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

1 (4) The applicable appropriation and the appropriation  
2 fiscal year from which the funding action or expenditure is  
3 made.

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

6 (6) The funding source.

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

8 (1) By December 31, 2018, the Governor's Office of  
9 Administration shall transfer or assign all hardware,  
10 software, accounts and contracts used to host, manage and  
11 support PennWATCH to the office.

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

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

19 \* \* \*

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

24 \* \* \*

25 (f.1) Additional data and reports.--By December 31, 2018,  
26 the website shall provide additional data and reports,  
27 including:

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

30 (2) The materials required to be submitted to the

1 General Assembly under section 613 of the act of April 9,  
2 1929 (P.L.177, No.175), known as The Administrative Code of  
3 1929.

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

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

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

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

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

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

22 \* \* \*

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

24 Section 4. Administration.

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

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

1 funding action or expenditure is paid by the State Treasury.

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

5 \* \* \*

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

7 Section 4.1. Advisory committee.

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

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

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

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

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

20 (2) Three members appointed by the Governor.

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

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

23 (ii) The Minority Leader of the Senate.

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

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

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

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

30 (f) Meetings and recommendations.--

1 (1) Meetings of the advisory committee shall be at the  
2 call of the chair but must be held at least annually.

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

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

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

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

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

21 Section 6. Report to Governor and General Assembly.

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

1 March 30, 2014.

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

3 (1) This section and the addition of sections 3(a.1) and  
4 4.1 of the act shall take effect immediately.

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