



Senate Finance Committee

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BILL SUMMARY

Legislation: House Bill 15, P.N. 531 (as amended by A03365)
Sponsor: Representative Christiana
Act Amended: None – creates the PennWATCH Act
Topic: Searchable budget and spending database
Date: June 20, 2011

Summary:

House Bill 15, as amended by A03365, creates the PennWATCH Act requiring the Office of Administration to develop, implement and maintain a searchable, public Internet website containing revenue and expenditure information for Commonwealth agencies, including executive agencies, legislative agencies, judicial agencies, independent agencies and state-affiliated entities. Implementation would take place in two phases.

The first phase shall be implemented by December 31, 2012 and shall include:

- The name and address of the entity receiving funding and the applicable identifier and classification under the vendor identification system.
- The amount of a funding action or expenditure (*please see the following page for the definition of “funding action or expenditure”*).
- The agency initiating a funding action or expenditure.
- The appropriation and appropriation fiscal year from which the expenditure is made.
- A counter showing the number of times the website is accessed.
- The funding source.

The website also shall include the following information by December 31, 2012:

- Federal and state revenue received and deposited in the State Treasury during the previous month.
- Links to Commonwealth agency Internet websites.
- The number of individuals employed by each Commonwealth agency as of the 15th day of the previous month and the name, position and current annual salary for each individual employed by each Commonwealth agency.

The second phase shall be implemented by December 31, 2014 and shall include the following:

- A description of the appropriation from which the funding action or expenditure was made.
- The expected and achieved performance outcomes achieved from the expenditure, if available.

A funding action or expenditure is a payment by a Commonwealth agency. It includes a grant, a loan, reimbursement, payment made pursuant to the purchase of goods and services, or to a construction or other contract, payment of debt service, payments made pursuant to a formula and payments made to political subdivisions or other local government entities. The term does not include social services payments, unemployment compensation, workers' compensation, property tax or rent rebate, employee benefit buyout or other entitlement program that provides direct monetary payments to an individual.

Exemptions – The following shall not be included on the Internet website.

- Records, materials or data received, prepared, used or retained by the PSERS board or its employees, investment professionals or agents relating to an investment. 24 Pa.C.S. §8502(e)(2)
- Records, materials or data received, prepared, used or retained by the SERS board or its employees, investment professionals or agents relating to an investment. 71 Pa.C.S. §5902(e)(2)
- Records exempt from disclosure under the Right-to-Know-Law.

The following requirements shall apply to the Internet website:

- It shall allow the public to search for and aggregate information at no cost.
- Information for a fiscal year shall remain available for at least 8 years.

Administration of PennWATCH:

- Each Commonwealth agency shall provide all required information to the Office of Administration at the time the funding action or expenditure is paid by the State Treasury.
- Each Commonwealth agency shall provide the Office of Administration with complement and employment information prior to the end of each month.
- Each Commonwealth agency is responsible for the accuracy and completeness of the information submitted.
- Each Commonwealth agency shall establish and maintain the information required to be submitted under the act in a manner prescribed by the Office of Administration.
- The vendor identification system specified by the Office of Administration shall be used to provide a common designation of each entity and to facilitate aggregation.

The Office of Administration shall submit a report to the General Assembly and the Governor by March 30th of every year, beginning in 2014. The report shall contain information on the use and performance of the website, including the frequency of use, types of data accessed, and website performance.

The act shall take effect immediately.