

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1017

4
5 By: Representative Garner

For An Act To Be Entitled

8 AN ACT CONCERNING THE CREATION OF A WEBSITE TO
9 ASCERTAIN THE REVENUES AND EXPENDITURES OF STATE
10 AGENCIES; AND FOR OTHER PURPOSES.

Subtitle

11
12
13 THE ARKANSAS OPEN CHECKBOOK ACT.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Title 25, Chapter 1 is amended to add an
20 additional subchapter to read as follows:

21
22 Subchapter 4 -- Arkansas Open Checkbook Act

23
24 25-1-401. Title.

25 This subchapter shall be known and may be cited as the "Arkansas Open
26 Checkbook Act".

27
28 25-1-402. Definitions.

29 As used in this section:

30 (1) "Searchable website" means a website that:

31 (A) Allows the public to search and aggregate the
32 information identified in § 25-1-403 without a fee or charge to the public
33 for the access;

34 (B) Provides keyword search capability to provide the
35 public with the ability to find, aggregate, and display information with
36 relative ease;



1 (C) Provides the ability to programmatically search and
 2 access all data in a structured machine readable format, including without
 3 limitation extensible markup language, via a web-services application
 4 programming interface;

5 (D) Is easily indexed by commercial search engines; and

6 (E) Has a universal resource locator or Internet protocol
 7 address that:

8 (i) Is unique; and

9 (ii) To the extent practicable, uses simple and
 10 nontechnical terms that will enhance the searchable website's accessibility
 11 to members of the public; and

12 (2) "State agency" means a board, commission, department,
 13 division, institution, or other office of state government whether located
 14 within the legislative, executive, or judicial branch of government and
 15 includes state-supported colleges and universities.

16
 17 25-1-403. Searchable website.

18 (a)(1) No later than January 1, 2012, the Department of Finance and
 19 Administration shall develop and operate a single, searchable website
 20 accessible to the public at no cost.

21 (2) Without limitation, the website shall offer the public the
 22 ability to:

23 (A) Efficiently search and display data; and

24 (B) Ascertain the total amounts of revenues and
 25 expenditures of:

26 (i) Funds established within the State Treasury in
 27 an aggregate or summary form;

28 (ii) Compensation paid to employees by a state
 29 agency; and

30 (iii) Bond debt.

31 (b) The website shall provide access to the following information
 32 without limitation:

33 (1) Annual expenditures, including without limitation:

34 (A) Disbursements by a state agency from funds established
 35 either within or outside of the State Treasury;

36 (B) Bond debt payments;

1 (C) Salaries and wages, including without limitation
2 compensation paid to individual employees of a state agency;

3 (D) Contractual services, including without limitation
4 amounts paid to individual vendors;

5 (E) Commodities, including without limitation amounts paid
6 to individual vendors;

7 (F) Capital outlay, including without limitation amounts
8 paid to individual vendors;

9 (G) Debt service, including without limitation:

10 (i) Amounts of bond interest paid; and

11 (ii) Sources of funds paid for individual bond
12 issues;

13 (H) Payments to individual units of local government,
14 including without limitation amounts paid for individually identifiable aid
15 programs;

16 (I) Capital improvements, including without limitation:

17 (i) Amounts of bond principal paid; and

18 (ii) Sources of funds paid for individual bond
19 issues;

20 (J) Grants awarded by a state agency; and

21 (K) Other expenditures determined by the Department of
22 Finance and Administration;

23 (2) Annual revenues, including without limitation:

24 (A) Receipts or deposits by a state agency into funds
25 established within or outside the State Treasury;

26 (B) Tax receipts, including without limitation compulsory
27 contributions imposed by the state to finance services;

28 (C) Funds earned by an agency, including without
29 limitation amounts collected by a state agency for:

30 (i) Merchandise sold;

31 (ii) Services performed;

32 (iii) The issuance and renewal of licenses;

33 (iv) The issuance and renewal of permits;

34 (v) Penalties and fines; and

35 (vi) Funds received from other sources;

36 (D) Funds received for the use of money or property,

1 including without limitation funds received for compensation for the use of
 2 state-owned money and property;

3 (E) Gifts, donations, and federal grants, including
 4 without limitation amounts received from public and private entities to
 5 provide aid in support of a specific function or other governmental activity;

6 (F) Nonrevenue receipts, including without limitation all
 7 receipts that do not constitute revenue; and

8 (G) Other revenues as determined by the Department of
 9 Finance and Administration;

10 (3) Annual bonded indebtedness, including without limitation:

11 (A) The amount of a total original obligation stated in
 12 terms of principal and interest;

13 (B) The term of the obligation;

14 (C) The source of funding for repayment of the obligation;

15 (D) The amounts of principal and interest previously paid
 16 to reduce the obligation;

17 (E) The balance remaining of the obligation;

18 (F) Any refinancing of the obligation; and

19 (G) The statutory authority to issue the bonds; and

20 (4) Other relevant information determined by the Department of
 21 Finance and Administration.

22 (c) The website shall:

23 (1) Include data for fiscal year 2011 and each fiscal year
 24 thereafter; and

25 (2) Be designed so that data shall be retained on the website
 26 for not less than ten (10) years.

27 (d) Information under subsection (b) of this section that is available
 28 from the Arkansas Administrative Statewide Information System or its
 29 successors shall be available through the website as soon as possible.

30 (e)(1) The Department of Finance and Administration shall promulgate
 31 rules concerning the receipt of information under subsection (b) of this
 32 section not available from the Arkansas Administrative Statewide Information
 33 System or its successors.

34 (2) At the request of the Department of Finance and
 35 Administration, a state agency shall provide information necessary to
 36 accomplish the purposes of this section.

1 (f) Nothing in this section shall permit or require the disclosure of
2 trade secrets or other proprietary information, including without limitation:

3 (1) Confidential vendor information; or

4 (2) Any other information rendered confidential by state or
5 federal law.

6 (g) The Department of Finance and Administration may promulgate rules
7 to implement this section.

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