

1 AN ACT relating to transparency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 42.032 is amended to read as follows:

4 (1) ~~{By January 1, 2012, }~~The Finance and Administration Cabinet ***and the State***  
5 ***Treasurer*** shall provide public access to records relating to expenditures of the  
6 executive branch of state government through display of the records on a Web site.

7 The Web site shall provide:

8 (a) Financial information of expenditures not exempt under the provisions of state  
9 or federal law, including:

- 10 1. The payee name;
- 11 2. The category or type of the expenditure;
- 12 3. A description of the reason for the expenditure, if available;
- 13 4. The expenditure amount; and
- 14 5. A link to the financial document, if the document is electronically  
15 available;

16 (b) A searchable format;

17 (c) Access to the current enacted Executive Branch Budget; and

18 (d) A link to the public access Web site displays of the legislative and judicial  
19 branches of state government, and of the public institutions of higher  
20 education.

21 (2) Information on the Web site shall be updated at least on a monthly basis. However,  
22 information on the Web site which is part of, or contained in, an electronic  
23 accounting system utilized by all branches of state government, such as the  
24 Enhanced Management Administrative Reporting System (EMARS), shall be  
25 updated on ***no less than*** a weekly basis.

26 (3) The cabinet shall maintain exclusive control and be considered the sole custodian of  
27 all information and records generated by and through activity of the executive

1 branch of government, notwithstanding the situs of the information and the records  
2 in another branch of government, and disclosure thereof shall only be by the cabinet  
3 in accordance with applicable law.

4 (4) In order to reduce Web site development costs and enhance public access and use of  
5 records viewed through Web sites as provided by this section and KRS 7.505 and  
6 26A.260, each branch of state government shall freely share with the other branches  
7 of state government the software, software developments, and all applications, data,  
8 and information within its control used for Web site design, appearance, content,  
9 and operation in compliance with, or in furtherance of, the purposes contemplated  
10 by this section and KRS 7.505 and 26A.260.

11 (5) Any contract for development of a Web site providing public access to  
12 expenditures required for publication pursuant to subsection (1) of this section  
13 shall be approved with the express written approval of both the secretary of the  
14 Finance and Administration Cabinet and the State Treasurer.