

HOUSE BILL 916

By Hill

AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 4, relative to the "Transparency in Government Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 4, is amended by adding the following language as a new part:

Section 9-4-5701. This part shall be known and may be cited as the "Transparency in Government Act".

Section 9-4-5702. As used in this part, unless the context otherwise requires:

(1)

(A) "Expenditure of state funds" means the expenditure of all appropriated or nonappropriated funds by a state entity from the state treasury in forms including, but not limited to:

(i) Grants;

(ii) Contracts;

(iii) Tax refunds, rebates or credits;

(iv) Payments made through economic and incentive programs operated by the department of economic and community development, the department of labor and workforce development, the department of agriculture and the Tennessee education lottery corporation; and

(v) Expenditures from the revenue fluctuation reserve;

(B) "Expenditure of state funds" does not mean the transfer of funds between two (2) state agencies or payments of state or federal assistance to an individual; and

(2) "Simple searchable web site" means a web site that allows the public to perform a simple search of information identified in § 9-4-5703.

Section 9-4-5703.

(a)

(1) No later than January 1, 2010, the department of finance and administration shall develop and operate a single, simple searchable web site accessible by the public at no cost to access, that includes for each expenditure, information including, but not limited to:

(A) Vendor;

(B) Amount;

(C) Object code;

(D) Department code; and

(E) Any other relevant information specified by the department of finance and administration.

(2) In complying with this section, an expenditure may be recorded using a unique source code or budgetary reference number; provided, that an explanation of such code or number is included as a link on the simple searchable web site.

(b) The single web site provided for in this section shall include data for the fiscal year 2009-2010 as it becomes available and each fiscal year thereafter; provided that data shall be available on the single web site no later than thirty (30) days after an expenditure is made during the fiscal year.

(c) All agencies of state government shall provide to the department of finance and administration such information as is necessary to accomplish the purposes of this part.

(d) The single web site provided for in this section shall be linked to the official web site of the state of Tennessee.

(e) Nothing in this part shall require the disclosure of information which is considered confidential by state or federal law, including, but not limited to, confidential information under HIPAA.

SECTION 2. Notwithstanding any other provision of law to the contrary, the department of finance and administration is authorized to sell and shall sell advertisement space on the simple searchable web site in an amount sufficient to defray the costs of the web site, web site support and administration thereof. No such advertisement shall promote any product or service which is obscene, patently offensive in nature or illegal under state or federal law.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.