

SB 392

State and Local Government Spending Disclosure/Website

Requires the Department of State to create and manage a website disclosing, on a quarterly basis, each expenditure with a total payment of \$5,000 or more made on or after July 1, 2008, by a governmental entity to a person under a contract. Defines "contract," "expenditure," "governmental entity and "person." Requires that the website also state the name of each party to a contract for which the website lists an expenditure and provide an electronic copy of the contract. Provides an exemption for public records that are not subject to disclosure. (See bill for details)

By Senator Storms

10-00336-08

2008392__

1 A bill to be entitled

2 An act relating to state and local government spending;
3 providing definitions; requiring the Department of State
4 to create and manage a website disclosing certain spending
5 by state and local governmental entities under certain
6 contracts; providing for free access to the website;
7 providing requirements concerning the content of the
8 website; providing an exemption for public records that
9 are not subject to disclosure; providing an effective
10 date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Transparency of spending by state and local
15 government.--

16 (1) As used in this section, the term:

17 (a) "Contract" means a legally binding agreement between a
18 governmental entity and a person which requires the governmental
19 entity to pay the person \$5,000 or more. The term includes an
20 agreement that would require a total payment of \$5,000 or more if
21 each term extension that the agreement authorizes were
22 instituted.

23 (b) "Expenditure" means a payment that a governmental
24 entity makes to a person under a contract.

25 (c) "Governmental entity" means a state agency, a political
26 subdivision, a corporation created by and acting on behalf of a
27 state agency or political subdivision, or a taxing authority
28 created by a state agency or political subdivision.

29 (d) "Person" means a corporation, association, partnership,

10-00336-08

2008392__

30 limited liability company, limited liability partnership, sole
31 proprietorship, or any other legal business entity, whether for
32 profit or nonprofit. The term excludes an individual, an employee
33 of a governmental entity, or an employee of the Federal
34 Government.

35 (2) The Department of State shall create and manage a
36 website that is searchable and that a person who has Internet
37 access can use without paying a fee. The website must list, for
38 each quarter of each calendar year, each expenditure made on or
39 after July 1, 2008, by a governmental entity to a person under a
40 contract by:

- 41 (a) Name of the governmental entity making the expenditure;
42 (b) Name of the person receiving the expenditure;
43 (c) Date of the expenditure;
44 (d) Amount of the expenditure; and
45 (e) Purpose of the expenditure.

46
47 The website also must state the name of each party to a contract
48 for which the website lists an expenditure and provide an
49 electronic copy of the contract.

50 (3) This section does not require that any public record
51 that is exempt from inspection or copying under chapter 119,
52 Florida Statutes, be listed on the website.

53 Section 2. This act shall take effect July 1, 2008.