

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

Action:	Without Recommendation as to Passage and Be Referred to the Committee on Rules
Vote:	9 - 1 - 0
Yeas:	Barton, Cameron, Edwards C., Esquivel, Holvey, Matthews, Thatcher, Witt, Schaufler
Nays:	Kennemer
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	3/9, 4/8

WHAT THE MEASURE DOES: Requires the Department of Administrative Services and local contracting agencies to maintain records concerning certain types of public contracts and to submit reports concerning information within the contracts to the Governor and the Legislative Assembly. Requires agencies to make records available to the public by creating a website with a searchable database. Establishes that records maintained by these agencies are public records, but requires personal information (other than an individual's name) to be redacted before records are disclosed. Requires state and local contracting agencies to submit reports on specified information to the Governor and the Legislative Assembly no more than 180 days after the end of each fiscal year.

ISSUES DISCUSSED:

- Other states' efforts in establishing websites regarding state contracts
- Citizens' desire to know how taxpayer dollars are being spent
- Fiscal impact to state and local government in implementing the measure's provisions
- Items that are to be included in the proposed website
- Availability of required items to be included in the website

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The types of public contracts that are affected by the provisions of HB 2037 include "consulting services," i.e. performing or providing research, data processing, giving professional advice or recommendations, or other work related to the functions of the state or local contracting agency; and agencies' active contracts for procuring goods and services that have a contract price that exceeds \$50,000. Information that is to be collected and maintained includes: the procedure used in soliciting and awarding the contract; the contract price or estimated total dollar value; the nature of the consulting service; and items related to persons providing "consulting services" (i.e. the number of hours worked and total compensation).

State and local contracting agencies are also required to maintain records pertaining to the aggregated total of public contracts for consulting services and specific information regarding each active contract for goods and services that meets the \$50,000 threshold (examples include the contractor's name, contract price or estimated dollar value, and the frequency of contracts have been awarded to a particular contractor). Besides providing these records to the public via a searchable database on the Internet, state and local contracting agencies are required to report to the Governor and the Legislature, no more than 180 days after the end of each fiscal year, summaries of the maintained information.

4/10/2009 2:36:00 PM

This summary has not been adopted or officially endorsed by action of the committee.