

A-Engrossed
House Bill 2788

Ordered by the House April 20
Including House Amendments dated April 20

Sponsored by Representative THATCHER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Includes State Treasurer as state agency subject to Oregon transparency website requirements.
[Requires state agencies to list on transparency website annual amounts of employee benefits as part of agency human resources expenses.]
Requires state agencies to post on transparency website all required notices of public meetings.
Becomes operative January 1, 2012.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Oregon transparency website; creating new provisions; amending ORS 184.480 and
3 184.483; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 184.480 is amended to read:

6 184.480. As used in ORS 184.480 to 184.488, "state agency" means any officer, board, commission,
7 department, division or institution of state government, as defined in ORS 174.111. [*"State agency"*
8 *does not mean the State Treasurer.*]

9 **SECTION 2.** ORS 184.483 is amended to read:

10 184.483. (1) The Oregon Department of Administrative Services shall develop and make available
11 an Oregon transparency website. The website shall allow any person to view information that is a
12 public record and not exempt from disclosure under ORS 192.410 to 192.505, including but not lim-
13 ited to information described in subsection (3) of this section.

14 (2) State agencies, to the extent practicable and subject to laws relating to confidentiality, when
15 at no additional cost, using existing data and existing state agency resources and without reallo-
16 cation of resources, shall:

17 (a) Furnish information to the Oregon transparency website by posting reports and providing
18 links to existing information system applications in accordance with standards established by the
19 Oregon Department of Administrative Services; and

20 (b) Provide the information in the format and manner required by the Oregon Department of
21 Administrative Services.

22 (3) To the extent practicable and subject to laws relating to confidentiality, when at no addi-
23 tional cost, using existing data and existing state agency resources and without reallocation of re-
24 sources, the Oregon transparency website shall contain information about each state agency,
25 including but not limited to:

26 (a) Annual state agency revenues;

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (b) Annual state agency expenditures;

2 (c) Annual state agency human resources expenses, including compensation;

3 (d) Annual state agency tax expenditures, including, where possible, the identity of the recipi-
4 ents of each tax expenditure;

5 (e) State agency contracting and subcontracting information, to the extent allowed by law;

6 (f) A prominently placed graphic representation of the primary funding categories and approxi-
7 mate number of individuals served by the state agency;

8 (g) A description of the mission, function and program categories of the state agency;

9 (h) Information about the state agency from the Oregon Progress Board; and

10 (i) A copy of any audit report issued by the Secretary of State for the state agency.

11 **(4) In addition to the information described in subsection (3) of this section, each state**
12 **agency shall post on the Oregon transparency website notices of public meetings required to**
13 **be provided by the state agency under ORS 192.640.**

14 [(4)] (5) In creating, operating, refining and recommending enhancements to the Oregon trans-
15 parency website, the Oregon Department of Administrative Services and the Transparency Oregon
16 Advisory Commission created in ORS 184.486 shall consider and, to the extent practicable, adhere
17 to the following principles:

18 (a) The website must be accessible without cost and be easy to use;

19 (b) Information included on the Oregon transparency website must be presented using plain,
20 easily understandable language; and

21 (c) The website should teach users about how state government works and provide users with
22 the opportunity to learn something about how state government raises and spends revenue.

23 [(5)] (6) If a state agency is not able to include information described in this section on the
24 Oregon transparency website because of the lack of availability of information or cost in acquiring
25 it, the Transparency Oregon Advisory Commission created in ORS 184.486 shall list the information
26 that is not included for that state agency in the commission's report to the Legislative Assembly
27 required under ORS 184.486.

28 **SECTION 3. (1) The amendments to ORS 184.480 and 184.483 by sections 1 and 2 of this**
29 **2011 Act become operative on January 1, 2012.**

30 **(2) A state agency, including the State Treasurer, may take any action before the oper-**
31 **ative date specified in subsection (1) of this section that is necessary to enable the state**
32 **agency or the State Treasurer to exercise, on and after the operative date specified in sub-**
33 **section (1) of this section, all the duties, functions and powers conferred on the state agency**
34 **or the State Treasurer by the amendments to ORS 184.480 and 184.483 by sections 1 and 2**
35 **of this 2011 Act.**

36 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**
37 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
38 **on its passage.**

39