

House Bill 2924

Sponsored by Representative NEARMAN; Representatives LEIF, RESCHKE, WILSON, ZIKA

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 **as introduced**.

Requires Oregon transparency website to contain itemized information about state agency advertising expenditures.

A BILL FOR AN ACT

1
2 Relating to the Oregon transparency website; creating new provisions; and amending ORS 276A.250
3 and 276A.253.

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

5 **SECTION 1. ORS 276A.256 is added to and made a part of ORS 276A.250 to 276A.262.**

6 **SECTION 2.** ORS 276A.250 is amended to read:

7 276A.250. As used in ORS 276A.250 to 276A.262[,]:

8 (1) **“Advertisement” or “advertising” means communication by newspaper, radio, tele-**
9 **vision, handbills, placards or other print, broadcast or electronic medium not owned by the**
10 **state.**

11 (2) “State agency” means any officer, board, commission, department, division or institution of
12 state government, as defined in ORS 174.111.

13 **SECTION 3.** ORS 276A.253 is amended to read:

14 276A.253. (1)(a) The State Chief Information Officer shall maintain and make available an
15 Oregon transparency website. The website must allow any person to view information that is a
16 public record and is not exempt from disclosure under ORS 192.311 to 192.478, including but not
17 limited to information described in subsection (3) of this section. The State Chief Information Officer
18 shall provide on the home page of the website a method for users to offer suggestions regarding the
19 form or content of the website.

20 (b) The Oregon Department of Administrative Services shall assist the State Chief Information
21 Officer in performing duties under paragraph (a) of this subsection to the extent the State Chief
22 Information Officer deems the assistance necessary.

23 (2) State agencies and education service districts, to the extent practicable and subject to laws
24 relating to confidentiality, when at no additional cost, using existing data and existing resources of
25 the state agency or education service district and without reallocation of resources, shall:

26 (a) Furnish information to the Oregon transparency website by posting reports and providing
27 links to existing information system applications in accordance with standards that the State Chief
28 Information Officer establishes; and

29 (b) Provide the information in the format and manner that the State Chief Information Officer
30 requires.

31 (3)(a) To the extent practicable and subject to laws relating to confidentiality, when at no ad-

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.

ditional cost, using existing data and existing resources of the state agency or education service district and without reallocation of resources, the Oregon transparency website must contain information about each state agency and education service district, including but not limited to:

[(a)] (A) Annual revenues *[of state agencies and education service districts]*;

[(b)] (B) Annual expenditures *[of state agencies and education service districts]*;

[(c)] (C) Annual human resources expenses, including compensation, *[of state agencies and education service districts]*;

[(d)] *Annual tax expenditures of state agencies, including, when possible, the identity of the recipients of each tax expenditure;*

[(e)] *For each state agency, a description of the percentage of expenditures made in this state and the percentage of expenditures made outside this state under all contracts for goods or services the state agency enters into during each biennium;*

[(f)] (D) A prominently placed graphic representation of the primary funding categories and approximate number of individuals that the state agency or the education service district serves;

[(g)] (E) A description of the mission, function and program categories of the state agency or education service district; **and**

[(h)] (F) A copy of any audit report that the Secretary of State issues for the state agency or the education service district[.];

[(i)] *The local service plans of the education service districts;*

[(j)] *A copy of each report required by statute for education service districts; and*

[(k)] *A copy of all notices of public meetings of the education service districts.]*

(b) To the extent practicable and subject to laws relating to confidentiality, when at no additional cost, using existing data and existing resources of the state agency and without reallocation of resources, the Oregon transparency website must contain information about each state agency, including but not limited to:

(A) Annual tax expenditures, including, when possible, the identity of the recipients of each tax expenditure;

(B) A description of the percentage of expenditures made in this state and the percentage of expenditures made outside this state under all contracts for goods or services the state agency enters into during each biennium; and

(C) The following information regarding advertising expenditures:

(i) A description of the purpose of the advertising;

(ii) Production costs of the advertising, including personnel costs;

(iii) Presentation costs of the advertising paid to the vendor; and

(iv) In the case of an audio or video advertisement, a link to the content of the advertisement.

(c) To the extent practicable and subject to laws relating to confidentiality, when at no additional cost, using existing data and existing resources of the education service district and without reallocation of resources, the Oregon transparency website must contain information about each education service district, including but not limited to:

(A) The local service plan developed pursuant to ORS 334.175;

(B) A copy of each report required by statute; and

(C) A copy of all notices of public meetings.

(4) In addition to the information described in subsection (3) of this section:

(a) The State Chief Information Officer shall post on the Oregon transparency website notices

1 of public meetings the state agency must provide under ORS 192.640. If the state agency maintains
2 a website where minutes or summaries of the public meetings are available, the state agency shall
3 provide the State Chief Information Officer with the link to the state agency website for posting on
4 the Oregon transparency website.

5 (b) The State Chief Information Officer shall post on the Oregon transparency website a link for
6 the website that the Secretary of State maintains for rules that the state agency adopts. If the state
7 agency maintains a website where the state agency posts the rules, or where any information re-
8 lating to the rules of the agency is posted, the state agency shall provide the State Chief Information
9 Officer with the link to the website for posting on the Oregon transparency website.

10 (c) The State Chief Information Officer shall provide links on the Oregon transparency website
11 for information that the State Chief Information Officer receives concerning contracts and subcon-
12 tracts that a state agency or education service district enters into, to the extent that disclosing the
13 information is allowed by law and the information is already available on websites that the state
14 agency or education service district maintains. To the extent available, the information to which the
15 State Chief Information Officer links under this section must include:

16 (A) Information on professional, personal and material contracts;

17 (B) The date of each contract and the amount payable under the contract;

18 (C) The period during which the contract is or was in effect; and

19 (D) The names and addresses of vendors.

20 (d) The State Chief Information Officer shall provide an economic development section on the
21 Oregon transparency website for posting of information submitted to the State Chief Information
22 Officer by state agencies responsible for administering specific economic development programs. The
23 section shall include, but not be limited to, the following information, if it is already collected or
24 available within an existing database maintained by the state agency in the course of administering
25 the economic development program:

26 (A) The names of filmmakers or companies that have received reimbursements from the Oregon
27 Production Investment Fund under ORS 284.368 and the amount of each reimbursement;

28 (B) The amount of revenue bonds issued under ORS 285A.430 for the Beginning and Expanding
29 Farmer Loan Program, the names of persons who received loans under the program and the amount
30 of the loan;

31 (C) The names of persons who received grants or loans from the Oregon Innovation Council
32 under ORS 284.735 or 284.742 and the purpose and amount of the grant or loan;

33 (D) Copies of, or links to, annual reports required to be filed under ORS 285C.615 under the
34 strategic investment program;

35 (E) Copies of, or links to, annual certifications required to be filed under ORS 285C.506 for the
36 business development income tax exemption; and

37 (F) Information required to be posted on the Oregon transparency website under ORS 276A.256.

38 (e) The information reported under paragraph (d) of this subsection:

39 (A) May not include proprietary information; and

40 (B) Shall be provided to the State Chief Information Officer by the state agency in the format
41 and manner required by the State Chief Information Officer.

42 (f) The State Chief Information Officer shall post on the Oregon transparency website informa-
43 tion describing the process for requesting copies of public records from a public body, including a
44 link to the public records section of the Department of Justice webpage. At the request of a state
45 agency or education service district, the State Chief Information Officer shall include a link to a

1 location on the webpage of the agency or district that describes the process for requesting public
 2 records from the agency or district.

3 (5) In operating, refining and recommending enhancements to the Oregon transparency website,
 4 the State Chief Information Officer and the Transparency Oregon Advisory Commission created in
 5 ORS 276A.259 shall consider and, to the extent practicable, adhere to the following principles:

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

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

9 (c) The website should teach users about how state government and education service districts
 10 work and provide users with the opportunity to learn something about how state government and
 11 education service districts raise and spend revenue.

12 (6) If a state agency or an education service district is not able to include information described
 13 in this section on the Oregon transparency website because of the lack of availability of information
 14 or cost in acquiring information, the Transparency Oregon Advisory Commission created in ORS
 15 276A.259 shall list the information that is not included for the state agency or education service
 16 district in the commission's report to the Legislative Assembly required under ORS 276A.259.

17 (7)(a) For the purpose of providing transparency in the revenues, expenditures and budgets of
 18 the following entities, the State Chief Information Officer shall include on the Oregon transparency
 19 website a page that provides links to websites established by:

20 (A) Local governments, as defined in ORS 174.116.

21 (B) Special government bodies, as defined in ORS 174.117.

22 (C) Semi-independent state agencies listed in ORS 182.454.

23 (D) Public universities listed in ORS 352.002.

24 (E) Public university statewide programs operated by a public university listed in ORS 352.002.

25 (F) The Oregon Health and Science University.

26 (G) The Oregon Tourism Commission.

27 (H) The Oregon Film and Video Office.

28 (I) The Travel Information Council.

29 (J) The Children's Trust Fund of Oregon Foundation.

30 (K) Oregon Corrections Enterprises.

31 (L) The State Accident Insurance Fund Corporation.

32 (M) The Oregon Utility Notification Center.

33 (N) Any public corporation created under a statute of this state and specifically designated as
 34 a public corporation.

35 (b) The State Chief Information Officer shall include a link to an entity's website after receiving
 36 a request from the entity and shall consider recommendations from the Transparency Oregon Advi-
 37 sory Commission for including other links to websites of the entities listed in paragraph (a) of this
 38 subsection.

39 (c) At the request of any local government, as defined in ORS 174.116, or special government
 40 body, as defined in ORS 174.117, the State Chief Information Officer shall include on the Oregon
 41 transparency website notices of public meetings required to be provided under ORS 192.640 by the
 42 local government or special government body. The local government or special government body
 43 must submit public meeting notice information in the format and manner required by the State Chief
 44 Information Officer.

45 (d) The office of the State Chief Information Officer shall include a prominent link on the home

1 page of the Oregon transparency website for information posted to the page described in paragraph
2 (a) of this subsection.
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