

# SENATE BILL No. 203

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-14-3.5; IC 34-30-2-14.6.

**Synopsis:** Information concerning state spending and revenues. Requires the auditor of state, working with the office of technology, to develop and maintain an Internet web site detailing all state expenditures by state agencies. Requires state agencies to provide information to the auditor of state and to develop links on agency Internet web sites to the auditor's expenditure Internet web site.

**Effective:** July 1, 2008.

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January 8, 2008, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

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## SENATE BILL No. 203



A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-14-3.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2008]:

4 **Chapter 3.5. Access to Financial Data**

5 **Sec. 1. (a) As used in this chapter, "state agency" means an**  
6 **authority, a board, a branch, a commission, a committee, a**  
7 **department, a division, or another instrumentality of government,**  
8 **including the administrative branch of state government, the**  
9 **legislative branch of government, and state educational**  
10 **institutions.**

11 **(b) The term does not include the judicial branch of state**  
12 **government.**

13 **Sec. 2. Beginning July 1, 2009, the auditor of state shall work**  
14 **with the office of technology established by IC 4-13.1-2-1 to**  
15 **establish and post on the Internet a data base web site of state**  
16 **expenditures, including expenditures for contracts and grants, that**  
17 **is electronically searchable by the public. The data base must**



1 include for each state agency:  
 2 (1) the amount, date, payer, and payee of expenditures; and  
 3 (2) a listing of state expenditures by:  
 4 (A) personal services;  
 5 (B) other operating expenses; or  
 6 (C) total operating expenses;  
 7 to reflect how the funds were appropriated in the state budget  
 8 act.

9 Sec. 3. To the extent possible, the auditor of state shall present  
 10 information in the data base established under this chapter in a  
 11 manner that is searchable and intuitive to users. The auditor of  
 12 state shall enhance and organize the presentation of the  
 13 information through the use of graphic representations, including  
 14 pie charts, if the auditor of state considers graphics appropriate.  
 15 The data base must allow users to:

- 16 (1) search and aggregate state funding by each element of the
- 17 data on the Internet web site;
- 18 (2) ascertain through a single search the total amount of state
- 19 funding awarded or paid to a person by a state agency; and
- 20 (3) download information yielded by a search of the data base.

21 Sec. 4. (a) The auditor of state may not allow public access  
 22 under this section:

- 23 (1) to a payee's address, other than the county in which the
- 24 payee is located;
- 25 (2) to personal information that is protected under state or
- 26 federal law or rule; or
- 27 (3) to information that is protected as a trade secret under
- 28 state or federal law or by rule.

29 (b) The auditor of state may make information protected under  
 30 subsection (a) available in an aggregate format only.

31 Sec. 5. The auditor of state and employees of the auditor of state  
 32 are immune from any civil liability for posting confidential  
 33 information under section 4 of this chapter if the auditor of state  
 34 or an employee of the auditor of state posted the information in  
 35 reliance on a determination made by a state agency about the  
 36 confidentiality of information relating to the agency's expenditures.

37 Sec. 6. To the extent any information required to be in the data  
 38 base is already being collected or maintained by a state agency, the  
 39 state agency shall provide that information to the auditor of state  
 40 for inclusion in the data base.

41 Sec. 7. The auditor of state may not charge a fee for access to  
 42 the data base.

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1           **Sec. 8. Except as provided in section 9 of this chapter, a state**  
 2 **agency shall cooperate with and provide information to the auditor**  
 3 **of state as necessary to implement and administer this chapter.**  
 4           **Sec. 9. This chapter does not require a state agency to record**  
 5 **information or expend resources for the purpose of computer**  
 6 **programming to make information reportable under this chapter.**  
 7           **Sec. 10. The office of technology established by IC 4-13.1-2-1**  
 8 **shall work with the auditor of state to include a link in the data**  
 9 **base established under this chapter to the Internet web site of each**  
 10 **Internet web site operated by:**  
 11           **(1) the state; or**  
 12           **(2) a state agency.**  
 13           **Sec. 11. Each state agency shall include a link on the agency's**  
 14 **Internet web site to the data base established under this chapter.**  
 15           **SECTION 2. IC 34-30-2-14.6 IS ADDED TO THE INDIANA**  
 16 **CODE AS A NEW SECTION TO READ AS FOLLOWS**  
 17 **[EFFECTIVE JULY 1, 2008]: Sec. 14.6. IC 5-14-3.5-5 (Concerning**  
 18 **the auditor of state and employees of the auditor of state for**  
 19 **posting confidential information).**

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