
DIGEST

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HB 5 Reengrossed

2018 Second Extraordinary Session

Ivey

Abstract: Establishes the Louisiana Checkbook as a centralized, searchable website to provide information, to provide fiscal transparency, and allow the public to obtain fiscal information regarding the state.

Present law requires the commissioner of administration (commissioner) to establish and maintain a website to post reports of state spending of the executive branch of state government contained in the General Appropriation Act and other acts for each budget unit.

Proposed law requires that the expenditure database provide reports of state spending of all budget units contained in the executive budget.

Proposed law designates the website as the Louisiana Checkbook (checkbook) and requires the website to be searchable, to have an easily identifiable Internet address, and a dedicated link that is prominently displayed on the home page of certain state government websites.

Proposed law requires that the website include features such as visual simplicity, charts and graphs, a mobile and tablet mode, and the ability to download data and share information on social media.

Present law requires the commissioner to consult with the Joint Legislative Committee on the Budget (JLCB) in the development and specifications of the database to be used for the website.

Proposed law deletes present law and instead requires the division of administration to prepare quarterly reports for three fiscal years to the JLCB regarding content changes, website usage, and disclosure of any agencies that do not provide information required by law.

Proposed law directs all agencies, boards, commissions, departments, and institutions of higher education of the state and its political subdivisions to furnish information, reports, aid, services, and assistance as the commissioner requests, all without any cost or charge.

Content

Proposed law requires the checkbook to contain the following types of information:

- (1) Expenditure Data
- (2) Contracts
- (3) State Employment and Salaries
- (4) Boards and Commissions
- (5) Public Debt and Pensions

- (6) Dedicated Funds
- (7) Performance Measurements
- (8) Education Expenditure Data
- (9) Revenues and Credits

Proposed law authorizes the commissioner to include other databases, or templates and interfaces with existing databases and reports, to provide additional fiscal transparency.

Expenditure Data

Proposed law requires that the checkbook include an expenditure database that is electronically searchable and contains expenditures by each budget unit contained in the executive budget. The database shall allow users to search and aggregate expenditures across multiple fiscal years by budget unit and program, by individual vendor, and by expenditure category. Users shall also be able to download information from any database search.

Proposed law specifies that the database shall include expenditures by category and shall include details of expenses charged to credit, debit, and purchase cards and related fees, mandated interagency payments, contributions to retirement systems and benefits plans, and revenue sharing and aid to other levels of government, including minimum foundation program transfers.

Proposed law requires certain information for each expenditure where available, including the name of the entity making the expenditure, the name of the recipient, the type and purpose, the manner of payment, the source, and, for contracts, a link to information in the contracts database.

Proposed law specifies that certain information not be included, such as addresses, tax payment data, payments of state assistance, protected health information, information subject to attorney-client privilege, information related to undercover or intelligence operations by law enforcement, and information that is confidential under state or federal laws, rules, and regulations.

Contract Information

Present law requires the commissioner to maintain a website to post specified information regarding state contracts, including the contract amount, a description of the contract, the dates of the contract, the name of the contracting agency, and the name and location of the contractor.

Proposed law requires that the checkbook include an electronically searchable contract database containing information similar to what is required in present law.

Proposed law requires certain information related to contracts that is required under present law to also be made available on the checkbook including the following:

- (a) An annual report of all professional, personal, consulting, social services, and other contracts over which the office of state procurement has authority, including a report of all contracts awarded without competitive bidding, and information on contracts contained in the annual report. (R.S. 39:1357)
- (b) A report at the end of each month submitted to the JLCB summarizing each contract awarded that month over which the office of state procurement has power and authority.
- (c) The annual report the commissioner prepares on the progress of the Hudson Initiative, including the total number and dollar value of contracts awarded to small entrepreneurships and the number of contracts that included a good faith small entrepreneurship subcontracting plan.
- (d) The annual report the commissioner prepares on the progress of the Veteran Initiative, including the total number and dollar value of contracts awarded to veteran and service-connected disabled veteran-owned small entrepreneurships and the number of contracts that included a good faith subcontracting plan for such entrepreneurships.

State Employment and Salaries

Proposed law requires that the checkbook contain an electronically searchable employment and salary database. The database shall contain salary and compensation information for all state employees.

Proposed law requires the database to allow users to search and aggregate records by agency and job title and to download information yielded by a search of the database.

Proposed law requires that the checkbook contain information regarding the number of authorized

positions and the number of vacant positions for each budget unit contained in the General Appropriation Act and the Ancillary Appropriation Act.

Boards and Commissions

Present law requires boards, commissions, and like entities to submit certain information regarding membership, salaries, and financial and budget information to the commissioner (R.S. 49:1302) and the legislative auditor (R.S. 24:513.2).

Proposed law requires that the checkbook contain an electronically searchable database of the membership, employee, and financial and budget information that boards, commissions, and like entities are required to submit to the commissioner and to the legislative auditor.

Proposed law requires that the checkbook provide access to the annual report that the legislative auditor is required to submit under present law (R.S. 24:513.2(E)) to the legislature on financial and personnel information on boards, commissions, and like entities.

Public Debt and Pensions

Proposed law requires that the checkbook contain access to an electronically searchable state debt database, to be established and maintained by the state treasurer. The database shall include information on public debt and pensions, including amounts and categories of state debt, amounts and categories of local debt backed by the state, costs of debt service, and sources of funding. Requires all agencies, boards, commissions, and departments of the state to furnish information, reports, aid, services, and assistance to the extent allowed by law, as may be requested by the treasurer to comply with proposed law, all without any cost or charge.

Dedicated Funds

Present law (R.S. 49:308.5(B)) requires the commissioner to provide access to an electronic database of annual reports of all entities and activities supported by special treasury funds.

Proposed law requires that the checkbook include access to an electronically searchable dedicated funds database that includes the database required by present law.

Present law (R.S. 49:308.3(E)) requires the state treasurer to submit an annual report to the JLCB and the legislative fiscal office a report on special treasury funds.

Proposed law requires that the checkbook provide access to the report required under present law.

Performance Measurements

Proposed law requires that the checkbook include or provide access to the La. Performance Accountability System, the electronic performance database that tracks performance standards, interim quarterly performance targets, and actual performance information for executive branch

departments and agencies required under the La. Government Performance and Accountability Act.

Education Spending

Proposed law requires that the checkbook include or provide access to the revenue and expenditure data on federal, state, and local fiscal matters maintained by the Dept. of Education on its website.

Revenues and Credits

Proposed law requires that the checkbook include or provide access to certain information related to revenues on which expenditures are based, including the official forecast and the incentive expenditure forecast adopted by the Revenue Estimating Conference; reports on tax collection and tax exemptions prepared by the Dept. of Revenue; and the La. Economic Development's website for economic development incentives.

Implementation

Proposed law requires the commissioner to substantially implement the checkbook no later than July 1, 2019. Requires the commissioner of administration to report to the state treasurer and the JLCB quarterly on the status of implementation of the checkbook and the estimated completion dates of its components prior to full implementation.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:6(C); Adds R.S. 39:89.1-89.3)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Delete the requirement that the commissioner of administration take steps to fully implement the LaGov system by Oct. 1, 2021.
2. Make technical changes.