

House Bill 2259

Sponsored by Representative MCLANE, Senators THATCHER, ROBLAN (at the request of former Representative Gene Whisnant) (Pre-session 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 **as introduced**.

Removes requirement for Oregon transparency website to include links to administrative rules on state agency websites in addition to link to Secretary of State's website.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the Oregon transparency website; amending ORS 276A.253; and prescribing an effective
3 date.

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

5 **SECTION 1.** ORS 276A.253 is amended to read:

6 276A.253. (1)(a) The State Chief Information Officer shall maintain and make available an
7 Oregon transparency website. The website must allow any person to view information that is a
8 public record and is not exempt from disclosure under ORS 192.311 to 192.478, including but not
9 limited to information described in subsection (3) of this section. The State Chief Information Officer
10 shall provide on the home page of the website a method for users to offer suggestions regarding the
11 form or content of the website.

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

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

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

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

23 (3) To the extent practicable and subject to laws relating to confidentiality, when at no addi-
24 tional cost, using existing data and existing resources of the state agency or education service dis-
25 trict and without reallocation of resources, the Oregon transparency website must contain
26 information about each state agency and education service district, including but not limited to:

27 (a) Annual revenues of state agencies and education service districts;

28 (b) Annual expenditures of state agencies and education service districts;

29 (c) Annual human resources expenses, including compensation, of state agencies and education
30 service districts;

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 (d) Annual tax expenditures of state agencies, including, when possible, the identity of the re-
2 cipients of each tax expenditure;

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

6 (f) A prominently placed graphic representation of the primary funding categories and approxi-
7 mate number of individuals that the state agency or the education service district serves;

8 (g) A description of the mission, function and program categories of the state agency or educa-
9 tion service district;

10 (h) A copy of any audit report that the Secretary of State issues for the state agency or the
11 education service district;

12 (i) The local service plans of the education service districts;

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

14 (k) A copy of all notices of public meetings of the education service districts.

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

16 (a) The State Chief Information Officer shall post on the Oregon transparency website notices
17 of public meetings the state agency must provide under ORS 192.640. If the state agency maintains
18 a website where minutes or summaries of the public meetings are available, the state agency shall
19 provide the State Chief Information Officer with the link to the state agency website for posting on
20 the Oregon transparency website.

21 (b) The State Chief Information Officer shall post on the Oregon transparency website a link for
22 the website that the Secretary of State maintains for rules that the state agency adopts. *[If the state*
23 *agency maintains a website where the state agency posts the rules, or where any information relating*
24 *to the rules of the agency is posted, the state agency shall provide the State Chief Information Officer*
25 *with the link to the website for posting on the Oregon transparency website.]*

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

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

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

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

35 (D) The names and addresses of vendors.

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

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

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

1 of the loan;

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

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

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

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

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

10 (A) May not include proprietary information; and

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

13 (f) The State Chief Information Officer shall post on the Oregon transparency website informa-
14 tion describing the process for requesting copies of public records from a public body, including a
15 link to the public records section of the Department of Justice webpage. At the request of a state
16 agency or education service district, the State Chief Information Officer shall include a link to a
17 location on the webpage of the agency or district that describes the process for requesting public
18 records from the agency or district.

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

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

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

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

28 (6) If a state agency or an education service district is not able to include information described
29 in this section on the Oregon transparency website because of the lack of availability of information
30 or cost in acquiring information, the Transparency Oregon Advisory Commission created in ORS
31 276A.259 shall list the information that is not included for the state agency or education service
32 district in the commission's report to the Legislative Assembly required under ORS 276A.259.

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

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

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

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

39 (D) Public universities listed in ORS 352.002.

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

41 (F) The Oregon Health and Science University.

42 (G) The Oregon Tourism Commission.

43 (H) The Oregon Film and Video Office.

44 (I) The Travel Information Council.

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

1 (K) Oregon Corrections Enterprises.

2 (L) The State Accident Insurance Fund Corporation.

3 (M) The Oregon Utility Notification Center.

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

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

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

16 (d) The office of the State Chief Information Officer shall include a prominent link on the home
17 page of the Oregon transparency website for information posted to the page described in paragraph
18 (a) of this subsection.

19 **SECTION 2. This 2019 Act takes effect on the 91st day after the date on which the 2019**
20 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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