

House Bill 2260

Sponsored by Representative MCLANE, Senators ROBLAN, THATCHER (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**.

Modifies list of entities for which links must be provided on Oregon transparency website. Clarifies duties of State Chief Information Officer. Grants State Chief Information Officer authority to adopt rules necessary for administration of Oregon transparency website.

A BILL FOR AN ACT

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

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

4 **SECTION 1. In accordance with applicable provisions of ORS chapter 183, the State Chief**
5 **Information Officer may adopt rules necessary for the administration of ORS 276A.253 and**
6 **276A.256.**

7 **SECTION 2.** ORS 276A.253 is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (D) The names and addresses of vendors.

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

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

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

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

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

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

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

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

12 (A) May not include proprietary information; and

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

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

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

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

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

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

30 (6) If a state agency or an education service district is not able to include information described
31 in this section on the Oregon transparency website because of the lack of availability of information
32 or cost in acquiring information, the Transparency Oregon Advisory Commission created in ORS
33 276A.259 shall list the information that is not included for the state agency or education service
34 district in the commission's report to the Legislative Assembly required under ORS 276A.259.

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

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

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

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

41 (D) Public universities listed in ORS 352.002.

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

43 (F) The Oregon Health and Science University.

44 (G) The Oregon Tourism Commission.

45 (H) The Oregon Film and Video Office.

1 (I) The Travel Information Council.

2 [(J) *The Children's Trust Fund of Oregon Foundation.*]

3 [(K)] (J) Oregon Corrections Enterprises.

4 [(L)] (K) The State Accident Insurance Fund Corporation.

5 [(M)] (L) The Oregon Utility Notification Center.

6 [(N)] (M) Any public corporation created under a statute of this state and specifically designated
7 as a public corporation.

8 (N) **Any other similar entity the State Chief Information Officer, in consultation with the**
9 **Transparency Oregon Advisory Commission, determines is appropriate.**

10 (b) **In addition to the entities listed in paragraph (a) of this subsection**, the State Chief
11 Information Officer shall include a link to [an] **any other** entity's website after receiving a request
12 from the entity and shall consider recommendations from the Transparency Oregon Advisory Com-
13 mission for including [other] links to [*websites of the entities listed in paragraph (a) of this*
14 *subsection*] **any other entity's website.**

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

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

24 (8) **Nothing in this section imposes a duty on the State Chief Information Officer to de-**
25 **termine which entities have failed to furnish information to the Oregon transparency website**
26 **as required under this section.**

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