

By: Watson

S.B. No. 1652

A BILL TO BE ENTITLED

AN ACT

relating to the implementation of new technology and new processes for the purposes of budget transparency, fiscal responsibility, and open government.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 322.008, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) For each state fee the amount of which is proposed or authorized to be increased by a provision of the general appropriations bill, the general appropriations bill must set out in a separate section of the bill:

(1) the statutory authority for the fee;

(2) the amount of the fee increase;

(3) the purpose or purposes for which the fee revenue is to be used; and

(4) into which fund the fee revenue will be deposited.

SECTION 2. Chapter 322, Government Code, is amended by adding Section 322.021 to read as follows:

Sec. 322.021. BUDGET DATABASE. (a) The Legislative Budget Board shall post on an Internet site maintained by the board a database containing the information that the board uses to prepare the general appropriations bill as filed and as subsequently amended, substituted, engrossed, or enrolled in either house of the legislature, if the board:

1           (1) determines that, using existing resources, the  
2 board can post the database on the Internet website at no additional  
3 cost to the state;

4           (2) enters into a contract advantageous to the state  
5 under which the contractor posts the database on the Internet  
6 website at no additional cost to the state; or

7           (3) receives a gift or grant specifically for the  
8 purpose of posting the database on the Internet website.

9           (b) The board shall post information to the database as soon  
10 as practicable after receipt of the information.

11           (c) The information contained in the database must be raw  
12 data in open standard format that allows the public to search,  
13 extract, organize, and analyze the information.

14           (d) The board may not publish in the database information  
15 that is not subject to required disclosure under Chapter 552 or that  
16 is confidential.

17           SECTION 3. Subchapter B, Chapter 403, Government Code, is  
18 amended by adding Section 403.0145 to read as follows:

19           Sec. 403.0145. PUBLICATION OF FEES SCHEDULE. As soon as  
20 practicable after the end of each regular or special legislative  
21 session, the comptroller shall publish a schedule of all revenue to  
22 the state from fees authorized by statute, including statutes  
23 adopted during that legislative session. For each fee, the  
24 schedule must specify:

25           (1) the purpose for which the fee revenue is to be  
26 used;

27           (2) if the fee has been increased during that

1 legislative session, the amount of the increase;  
2 (3) into which fund the fee revenue will be deposited;  
3 and  
4 (4) the amount of the fee revenue that will be  
5 considered available for general governmental purposes and  
6 accordingly considered available for the purpose of certification  
7 under Section 403.121.

8 SECTION 4. Section 404.124, Government Code, is amended by  
9 amending Subsections (a) and (b) and adding Subsection (b-1) to  
10 read as follows:

11 (a) Before issuing notes the comptroller shall submit to the  
12 committee a general revenue cash flow shortfall forecast, based on  
13 the comptroller's most recent anticipated revenue estimate. The  
14 forecast must contain a detailed report of estimated revenues and  
15 expenditures for each month and each major revenue and expenditure  
16 category and must demonstrate the maximum general revenue cash flow  
17 shortfall that may be predicted. The committee shall hold a public  
18 hearing to solicit testimony on the forecast, including testimony  
19 on this state's overall economic condition, as soon as practicable  
20 after receiving the forecast.

21 (b) Based on the forecast and testimony provided at the  
22 hearing required by Subsection (a), the committee may approve the  
23 issuance of notes, subject to Subsections (b-1) and (c), and the  
24 maximum outstanding balance of notes in any fiscal year. The  
25 outstanding balance may not exceed the maximum temporary cash  
26 shortfall forecast by the comptroller for any period in the fiscal  
27 year. The comptroller may not issue notes in excess of the amount

1 approved.

2 (b-1) The committee's approval of the issuance of notes  
3 granted under Subsection (b) expires on the 61st day after the date  
4 the hearing conducted under Subsection (a) concludes. The  
5 comptroller may not issue notes on or after the 61st day unless the  
6 comptroller submits another general revenue cash flow shortfall  
7 forecast to the committee and the committee subsequently grants  
8 approval for the issuance of the notes in accordance with the  
9 procedure required by Subsections (a) and (b). Each subsequent  
10 approval expires on the 61st day after the date the hearing on which  
11 the approval was based concludes.

12 SECTION 5. Subchapter F, Chapter 2054, Government Code, is  
13 amended by adding Section 2054.1265 to read as follows:

14 Sec. 2054.1265. POSTING HIGH-VALUE DATA SETS ON INTERNET.

15 (a) In this section:

16 (1) "High-value data set" means information that can  
17 be used to increase state agency accountability and responsiveness,  
18 improve public knowledge of the agency and its operations, further  
19 the core mission of the agency, create economic opportunity, or  
20 respond to need and demand as identified through public  
21 consultation. The term does not include information that is  
22 confidential or protected from disclosure under state or federal  
23 law.

24 (2) "State agency" means a board, commission, office,  
25 department, or other agency in the executive, judicial, or  
26 legislative branch of state government. The term includes an  
27 institution of higher education as defined by Section 61.003,

1 Education Code.

2 (b) Each state agency shall post on a generally accessible  
3 Internet website maintained by or for the agency each high-value  
4 data set created or maintained by the agency, if the agency:

5 (1) determines that, using existing resources, the  
6 agency can post the data set on the Internet website at no  
7 additional cost to the state;

8 (2) enters into a contract advantageous to the state  
9 under which the contractor posts the data set on the Internet  
10 website at no additional cost to the state; or

11 (3) receives a gift or grant specifically for the  
12 purpose of posting one or more of the agency's high-value data sets  
13 on the Internet website.

14 (c) A high-value data set posted by a state agency under  
15 this section must be raw data in open standard format that allows  
16 the public to search, extract, organize, and analyze the  
17 information.

18 (d) The web page on which a state agency's high-value data  
19 set is posted must:

20 (1) use the agency's Internet website home page and  
21 include the uniform resource locator suffix "data"; and

22 (2) be not more than two mouse clicks from the agency's  
23 Internet website home page.

24 (e) A state agency may accept a gift or grant for the purpose  
25 of posting one or more of the agency's high-value data sets on an  
26 Internet website.

27 SECTION 6. Section 322.021, Government Code, as added by

1 this Act, applies only to information received on or after October  
2 1, 2011.

3           SECTION 7. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2011.