

**ANALYSIS OF ORIGINAL BILL**

Author: Hurt Analyst: Roger Lackey Bill Number: SB 2119  
 Related Bills: None Telephone: 845-3627 Introduced Date: 02-20-98

Attorney: Doug Bramhall Sponsor:

SUBJECT: State Agency Reports To The Legislature/Place On Internet and Notify By E-Mail

SUMMARY

**This bill** would provide that every state agency that is required by the Legislature to prepare and submit a report to the Legislature shall place the report on the Internet and notify the Legislature of the report's availability by electronic mail via the Internet.

EFFECTIVE DATE

**This bill** would become effective January 1, 1999.

PROGRAM HISTORY/BACKGROUND

In March of 1995, Governor Wilson issued an executive order requiring all state agencies to provide public information on the Internet. The California Government web site was established allowing agencies to comply with the executive order and provide agency information on the California Government web site without having to develop a independent web site of their own. The Franchise Tax Board (FTB) was the first department to comply with the order by providing general information and forms on the Internet. FTB has established its own web site to more easily customize data and gather statistics on information requests.

SPECIFIC FINDINGS

**Current state law** requires the Franchise Tax Board (FTB) to conduct a variety of research studies and report the results. Reports submitted to the Legislature include: (1) changes to the Internal Revenue Code; (2) changes proposed at the federal level in the taxation of capital gains and losses; (3) areas of recurrent taxpayer noncompliance; and (4) the amount of tax paid by high income taxpayers.

**State law** provides that any report required or requested by law to be submitted by a state or local agency to the members of either house of the Legislature generally shall instead be submitted to the Legislative Counsel, the Secretary of

DEPARTMENTS THAT MAY BE AFFECTED:

STATE MANDATE  GOVERNOR'S APPOINTMENT

Board Position: <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> SA <input type="checkbox"/> OUA <input type="checkbox"/> N <input type="checkbox"/> NP <input type="checkbox"/> NA <input type="checkbox"/> NAR <input checked="" type="checkbox"/> X <input type="checkbox"/> PENDING	Agency Secretary Position: <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> SA <input type="checkbox"/> OUA <input type="checkbox"/> N <input type="checkbox"/> NP <input type="checkbox"/> NA <input type="checkbox"/> NAR DEFER TO _____	<b>GOVERNOR'S OFFICE USE</b> Position Approved <input type="checkbox"/> Position Disapproved <input type="checkbox"/> Position Noted <input type="checkbox"/>
Department Director <span style="float:right">Date</span> Gerald H. Goldberg <span style="float:right">4/6/98</span>	Agency Secretary <span style="float:right">Date</span>  	By: <span style="float:right">Date</span>  

the Senate, and the Chief Clerk of the Assembly, unless the reports are required or requested by law to be directed to a committee or other specified entity within the Legislature.

**This bill** would provide that every state agency that is required by the Legislature or a legislative committee to prepare and submit a report to the Legislature shall place the report on the Internet.

**This bill** would provide that once the report is available on the Internet the state agency shall notify the Legislature of the report's availability by electronic mail via the Internet.

#### Implementation Considerations

This bill is unclear as to the type of report that would be placed on the Internet. Some reports required or directed by the Legislature contain confidential information, and disclosure of that information on the Internet would violate state law. If it is the author's intent to provide only reports that contain public information be placed on the Internet, specific language should be included.

The Government Code requires that reports addressed to the Legislature generally should instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly. It is unclear if the state agency would be required to electronically mail all 120 legislators or if e-mailing the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly would be sufficient.

Once these minor issues are resolved, implementing this bill would not significantly impact the department's programs and operations.

#### FISCAL IMPACT

##### Departmental Costs

This bill would not impact the department's costs.

##### Tax Revenue Estimate

This bill would not impact the state's income tax revenue.

#### BOARD POSITION

Pending.