

ANALYSIS OF AMENDED BILL

Author: Obernolte & Lackey Analyst: Janet Jennings Bill Number: AB 410
See Legislative March 26, 2015 &
 Related Bills: History Telephone: 845-3495 Amended Dates: April 27, 2015
 Attorney: Bruce Langston Sponsor _____

SUBJECT:	State Agencies Post on Internet Web site any Reports Required or Requested by Law to be Submitted to Budget Committees of the Legislature
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SUMMARY

This bill, under the Government Code, would require a state agency to post on its Internet Web site certain reports.

RECOMMENDATION

No position.

Summary of Amendments

The March 26, 2015, amendments removed provisions of the bill related to the Administrative Procedure Act, and replaced them with a provision requiring state agencies to post certain documents to their Internet Web site. The April 27, 2015, amendments recast the requirement to apply to certain reports. This is the department’s first analysis of the bill.

REASON FOR THE BILL

The reason for this bill is to create efficiencies and public access relating to required documents and reports due to the Legislature Committees from state agencies.

EFFECTIVE/OPERATIVE DATE

This bill would become effective and operative January 1, 2016.

STATE LAW

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 be submitted as a printed copy to the Secretary of the Senate, as an electronic copy to the Chief Clerk of the Assembly, and as an electronic or printed copy to the Legislative Counsel. Each report must include a summary of its contents, not to exceed one page.

Board Position:	Executive Officer	Date									
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If the report is submitted by a state agency, that agency must also provide an electronic copy of the summary directly to each member of the appropriate house or houses of the Legislature. Notice of receipt of the report is recorded in the journal of the appropriate house or houses of the Legislature by the secretary or clerk of that house. A report submitted by a state agency to members of either house of the Legislature is also required to be posted to that agency's Internet Web site.¹

THIS BILL

This bill would require a state agency (including the Franchise Tax Board) to post to its Internet Web site, any report required by law to be filed with a legislative committee. "Reports" would include a study or audit, or a budget change proposal that has been approved by the Department of Finance and submitted to the Joint Legislative Budget Committee, the Assembly Committee on Budget, or the Senate Committee on Budget and Fiscal Review.

IMPLEMENTATION CONSIDERATIONS

Implementing this bill would not significantly impact the department's programs and operations.

LEGISLATIVE HISTORY

AB 1365 (Perez, Chapter 192, Statutes of 2013) made changes to provisions of law relating to reports filed by state and local agencies with the Legislative Counsel as well as provisions pertaining to the requirement that the Legislative Counsel prepare and maintain an electronic list of all reports.

OTHER STATES' INFORMATION

Florida, Illinois, Massachusetts, Michigan, Minnesota, and New York laws require most state agencies to submit reports to the Legislature. Each state has a varying degree of specificity as to topic and recipients of legislatively mandated reports.

FISCAL IMPACT

This bill would not significantly impact the department's costs.

ECONOMIC IMPACT

This bill would not impact state income tax revenue.

¹ Government Code section 9795.

SUPPORT/OPPOSITION

Support: None on file.

Opposition: None on file.

ARGUMENTS

Proponents: Some could argue that posting documents required or requested by law to be provided to Legislative subcommittees to an agency's Web site would increase transparency in state government.

Opponents: Some could argue that this bill's requirements to post documents to an agency's Web site would be an inefficient use of limited state resources.

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