
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1582 Session of
2013

INTRODUCED BY CHRISTIANA, HELM, MILLARD, R. MILLER, SIMMONS,
DAVIS, DAVIDSON, MURT, KAUFFMAN, TRUITT, EVANKOVICH,
GODSHALL, BLOOM, PETRI, AUMENT, GROVE, COX, DENLINGER,
EVERETT AND MOUL, JUNE 27, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 27, 2013

AN ACT

1 Providing for the establishment of a searchable budget database-
2 driven Internet website detailing certain information
3 concerning taxpayer expenditures and investments by counties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the County Web
8 Accountability and Transparency (CountyWATCH) Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "County." A county of the first, second, second A, third,
14 fourth, fifth, sixth, seventh and eighth class including a home
15 rule county or optional charter county. The term includes any
16 office, department, agency, authority, board or commission of a
17 county or counties.

1 "Entity." Any of the following:

2 (1) An individual, corporation, association, union,
3 limited liability company or limited liability partnership.

4 (2) Any other legal business entity, including a
5 nonprofit, grantee, contractor and sole proprietor.

6 (3) Any political subdivision or other local government
7 entity.

8 "Funding action or expenditure." A payment by a county
9 relating to:

10 (1) A grant.

11 (2) A loan.

12 (3) Reimbursement.

13 (4) Payment made pursuant to the purchase of goods and
14 services, including employee salaries or to a construction or
15 other contract.

16 (5) Payment of debt service.

17 (6) Payment made pursuant to a formula.

18 (7) Payment to a political subdivision or other local
19 government entity.

20 The term does not include social services payment, unemployment
21 compensation, workers' compensation, property tax or rent
22 rebate, employee benefit buyout or other entitlement program
23 that provides direct monetary payment to an individual.

24 "Funding source." A county's general fund or any of its
25 special funds.

26 "PennWATCH." The public Internet website authorized by the
27 act of June 30, 2011 (P.L.81, No.18), known as the Pennsylvania
28 Web Accountability and Transparency (PennWATCH) Act.

29 "Social services payment." Payments made to an individual
30 for cash assistance, medical and other health-related or

1 welfare-related benefits or services, education and training
2 benefits or aging services.

3 Section 3. Searchable database.

4 (a) Development.--By December 31, 2014, the Governor's
5 Office of Administration shall develop, implement and maintain a
6 single, searchable, public Internet website to be called
7 CountyWATCH. CountyWATCH may be linked to PennWATCH. The
8 Governor's Office of Administration may contract with a third
9 party to develop, implement or maintain CountyWATCH.

10 (b) Internet website contents.--The Internet website
11 required pursuant to subsection (a) shall provide the following
12 information for each county:

13 (1) The name and address of the county.

14 (2) The amount of funding received by each county from
15 Federal, State, local and private sources and deposited in
16 the county's general fund or special fund during the previous
17 month. The revenue shall be posted by the 15th day of the
18 month following deposit in the county's general or special
19 fund. County revenue shall be identified as having been
20 derived from the county real estate tax or, if derived from a
21 nontax source, shall be reported with an appropriate
22 description of where the funds were obtained.

23 (3) The name and address of the county agency or entity
24 receiving funding or a payment from the county pursuant to a
25 funding action or expenditure.

26 (4) A description and the amount of each funding action
27 or expenditure.

28 (5) The funding source for each funding action or
29 expenditure.

30 (6) The applicable appropriation and the appropriation

1 fiscal year from which the funding action or expenditure is
2 made.

3 (7) The expected and achieved performance outcomes from
4 the funding action or expenditure, if available.

5 (8) A counter to show the number of times the Internet
6 website is accessed.

7 (9) A link to each county's Internet website, where
8 available.

9 (10) The total number of individuals employed by each
10 county as the 15th day of the previous month.

11 (11) For each individual employed by a county, the
12 following:

13 (i) Name.

14 (ii) Position or title.

15 (iii) Current annual salary, based on the employee's
16 pay schedule and current salary.

17 (iv) Compensation, as defined in section
18 303(a)(1)(i) of act of March 4, 1971 (P.L.6, No.2), known
19 as the Tax Reform Code of 1971, paid by the county.

20 (c) Exemption.--Notwithstanding any other provision of this
21 act, records not subject to disclosure under either of the
22 following shall not be included on the Internet website:

23 (1) the act of February 14, 2008 (P.L.6, No.3), known as
24 the Right-to-Know Law; or

25 (2) any other law.

26 (d) Access.--The Internet website shall allow the public to
27 search for and aggregate information at no cost.

28 (e) Maintenance.--Information for a fiscal year shall remain
29 on the Internet website for a period of not less than eight
30 years from the date of posting.

1 Section 4. Administration.

2 (a) County requirements.--A county shall cooperate with the
3 Governor's Office of Administration in administering this act
4 and the following shall apply.

5 (1) The county shall provide the Governor's Office of
6 Administration with all information regarding Federal, State,
7 local and private funding received and all funding actions or
8 expenditures as required under this act at the time the
9 funding is received or the funding action or expenditure is
10 paid by the county.

11 (2) The county shall provide the Governor's Office of
12 Administration with complement and employment compensation
13 information as required under this act prior to the end of
14 each month.

15 (b) Accuracy.--A county shall verify the accuracy and
16 completeness of information submitted to the Governor's Office
17 of Administration.

18 (c) Format.--A county shall establish and maintain the
19 information required to be posted under section 3 in a manner
20 prescribed by the Governor's Office of Administration. The
21 Governor's Office of Administration shall consult with counties
22 to develop the format to be utilized.

23 (d) Penalty.--A county that fails to comply with a provision
24 of this act shall be subject to withholding of State
25 appropriations otherwise payable to the county until the county
26 complies with such provision.

27 Section 5. Report to Governor and General Assembly.

28 The Governor's Office of Administration shall prepare an
29 annual report containing statistical information on the usage
30 and performance of the Internet website established by this act.

1 The report shall contain frequency of user access of the
2 Internet website, types of data being accessed and Internet
3 website performance. The report shall be submitted to the
4 Governor, and the Majority Leader and Minority Leader of the
5 Senate and the Majority Leader and Minority Leader of the House
6 of Representatives by March 30 of each year, beginning March,
7 30, 2016.

8 Section 6. Effective date.

9 This act shall take effect immediately.