



Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 10-0972
Prime Sponsor(s): Rep. Nikkel
 Sen. Kopp

Date: April 8, 2010
Bill Status: House SVMA
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING THE INFORMATION INCLUDED IN THE WEB-BASED SYSTEM THAT PROVIDES THE PUBLIC ACCESS TO STATE FINANCIAL INFORMATION.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
State Expenditures	See State Expenditures Section	
FTE Position Change		
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: None.		

Summary of Legislation

the bill requires the Governor's Office of Information Technology (OIT) to make changes to the Transparency Online Project (TOP) website to show more detailed information on state expenditures contained in the state's financial data system. Exceptions are made for publishing confidential information, and state agencies may request that certain information not be disclosed on the TOP website. The bill creates a process for members of the public to challenge the exclusion of data by a state agency, including action in state district court. When specific expenditure data is excluded, the TOP website must explain the exclusion and provide aggregated expenditure data. The state controller and chief information officer are not liable for any information published on TOP website based on information received from a state agency.

Background

The TOP website was established by executive order in April 2009. The website was created by the OIT. The state controller in the Department of Personnel and Administration (DPA) administers the website and provides data from the state's accounting system. HB09-1288 gave the state controller the authority to publish data as aggregated totals, rather than as individual transactions, if presenting the information in such a manner fosters the goal of accountability and transparency. This bill limits the state controller's ability to present data on the TOP website as aggregated totals and creates a process for excluding protected information.

State Expenditures

The bill is not expected to result in significant costs to any state agency. However, it will require the use of existing staff and resources in several areas to be implemented. These are discussed below.

Programming changes. The OIT must make changes to the TOP website to show transaction-level data and identify when information has been excluded. It is assumed that the OIT will make these programming changes using existing staff, and no new appropriation is required.

Identifying confidential information. Some state agencies may be required to review expenditure codes and accounting records to inform the OIT and state controller of transaction records containing confidential information that should be excluded from the TOP website. This analysis assumes that accounting staff in state agencies are currently aware of these types of transactions and that additional resources are not required to identify them.

Challenges to excluded information. State agencies are required to respond to challenges to information that is excluded from the TOP website. However, this analysis assumes that state agencies will exclude data only if there is valid reason to do so, which will limit the number of challenges and time required to process them. Therefore, these duties can be accomplished within existing resources. In the event that an agencies receives a large number of challenges or requires additional staff time, this can be addressed through the annual budget process.

Departments Contacted

All Departments