

SENATE, No. 1231

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:
Senator THOMAS H. KEAN, JR.
District 21 (Morris, Somerset and Union)

SYNOPSIS

Requires State Treasurer to publish certain State expenditure and revenue information on government transparency website.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** requiring the publication of certain financial information
2 on the State's government transparency website, supplementing
3 P.L.2017, c.2 (C.52:18A-234.1 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
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8 1. a. The State Treasurer, in consultation with the Chief
9 Technology Officer, shall make available to the public without
10 charge a searchable Internet government transparency website that
11 shall retain and display data and other information concerning State
12 expenditures and revenues and State contracts, for the purpose of
13 providing fiscal transparency to the public.

14 b. In addition to any other data and information required by
15 law, rule, regulation, or executive order, the government
16 transparency website shall include:

17 (1) the following data, reports, and other information described
18 in Executive Order No. 8 of 2010:

19 (a) quarterly reports on all State expenditures,

20 (b) monthly revenue report,

21 (c) compensation paid to public employees of the State and
22 independent State agencies, including but not limited to current
23 contracts pursuant to which compensation is determined,

24 (d) information related to debt, including but not limited to
25 amounts of bond debt or interest paid and sources of funds for bond
26 issues, and

27 (e) State liabilities for pension and post-retirement medical
28 benefits;

29 (2) a statement describing the specific types of transactions,
30 government entities, or both, for which financial information has
31 been excluded from the government transparency website, and the
32 reason for the exclusion;

33 (3) detailed descriptions of amounts spent by or on behalf of the
34 Office of the Governor on travel, to the extent permitted by law,
35 including but not limited to costs associated with hotel and lodging,
36 airfare, meals, whether the travel was in-State or out-of-State, and
37 whether the travel included overnight or non-overnight lodging;

38 (4) detailed descriptions of amounts spent by the Office of the
39 Attorney General on external contracted legal services, to the extent
40 permitted by law;

41 (5) detailed descriptions of amounts spent by the Division of
42 Travel and Tourism in the Department of State on advertising,
43 including but not limited to marketing, publicity, promotion, and
44 amounts paid to advertising agencies;

45 (6) detailed descriptions of amounts spent by the Department of
46 Corrections on electricity;

- 1 (7) detailed descriptions of amounts spent by the Division of
- 2 Pension and Benefits in the Department of the Treasury on postage,
- 3 shipping, and other mail services;
- 4 (8) detailed descriptions of amounts spent by the State
- 5 Department of Agriculture on fuel for motor vehicles;
- 6 (9) analysis of government finances based on the most recent
- 7 Comprehensive Annual Financial Report, or other similar financial
- 8 information, presented in a format that:
- 9 (a) itemizes expenditures into no fewer than five categories,
- 10 (b) includes graphs or other visual aids,
- 11 (c) is written in “user-friendly,” plain language that is
- 12 understandable to the average taxpayer, and
- 13 (d) does not exceed 35 pages in length; and
- 14 (10) analysis of State economic development programs that
- 15 provide, or offer to provide, gross income tax or corporation
- 16 business tax credits to qualifying businesses that meet certain
- 17 statutory criteria and benchmarks for the purpose of expanding,
- 18 locating, or relocating industry and improving commerce and trade
- 19 in the State. The information included shall:
- 20 (a) identify the program awarding, or offering to award,
- 21 economic development subsidies to qualifying recipients,
- 22 (b) identify the businesses that receive subsidies through the
- 23 program,
- 24 (c) identify the amount of subsidies received by businesses
- 25 through the program,
- 26 (d) identify the amount of subsidies recaptured from recipients
- 27 that failed to meet program requirements,
- 28 (e) describe the public benefits, including but not limited to the
- 29 number of jobs and capital investment, projected to be produced by
- 30 recipients of subsidies made available through the program,
- 31 (f) describe the public benefits, including but not limited to the
- 32 number of jobs and capital investment, actually created by the
- 33 recipients of subsidies made available through the program, and
- 34 (g) provide any other data and information that the State
- 35 Treasurer, in consultation with the Executive Director of the New
- 36 Jersey Economic Development Authority, determines to be relevant.
- 37 The analysis shall be made available in a format that can be
- 38 downloaded by the public for comparative purposes using
- 39 commonly-used software.
- 40 c. The government transparency website shall not retain or
- 41 display data or information deemed private or confidential by State
- 42 or federal law, rule, or regulation.
- 43 d. The State Treasurer shall ensure that the government
- 44 transparency website is updated regularly so as to contain the most
- 45 current data and information.
- 46
- 47 2. The State Treasurer shall develop rules and regulations,

1 pursuant to the provisions of the “Administrative Procedure Act,”
2 P.L.1968, c.410 (C.52:14B-1 et seq.), as are necessary to effectuate
3 the purposes of this act.

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5 3. This act shall take effect on the first day of the fourth month
6 next following the date of enactment.

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9 STATEMENT

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11 This bill requires the State Treasurer to publish certain State
12 financial information on an Internet State government transparency
13 website.

14 The State Treasurer, in consultation with the Chief Technology
15 Officer, must make information concerning State expenditures and
16 revenue and State contracts available to the public, at no charge, in
17 a format that is searchable and archivable. The State Treasurer is
18 also required to ensure that this information is kept current.

19 Specifically, this website must publish the following
20 information: (1) amounts spent the Governor’s Office on travel,
21 including hotel and lodging, airfare, meals, whether in-State or out-
22 of-State, and whether overnight or non-overnight; (2) amounts spent
23 by the Attorney General’s Office on external contracted legal
24 services; (3) amounts spent by the Division of Travel and Tourism
25 on advertising, including marketing, publicity, promotion, and
26 amounts paid to advertising agencies; (4) amounts spent by the
27 Department of Corrections on electricity; (5) amounts spent by the
28 Division of Pension and Benefits on postage, shipping, and other
29 mail services; (6) amounts spent by the Department of Agriculture
30 on motor vehicle fuel; (7) analysis of government finances based on
31 the most recent Comprehensive Annual Financial Report, which
32 itemizes expenditures into at least five categories, includes graphs
33 or visual aids, written in plain language that is understandable to the
34 average taxpayer, and not more than 35 pages in length; (8) analysis
35 of State economic development programs, including businesses that
36 receive subsidies, the amount of subsidies received, the amount of
37 subsidies recaptured from recipients, and public benefits (e.g., jobs
38 and capital investment) projected to be attributable to the program;
39 (9) the specific types of transactions and government entities for
40 which financial information has been excluded from the
41 government transparency website, and the reason therefor, and
42 (10) quarterly expenditure reports, monthly revenue reports, budget
43 information, compensation paid to public employees, bonded debt
44 and related information, and State liabilities for pension and post-
45 retirement medical benefits, as reflected in Executive Order No. 8
46 of 2010. Moreover, the State Treasurer may make available other
47 information deemed relevant. Any information that falls within one

1 of the aforementioned categories but is deemed private or
2 confidential by federal or State law is prohibited from being
3 published on the website.

4 Pursuant to Executive Order No. 8 of 2010, the Department of
5 the Treasury is already required to publish certain State fiscal
6 information in a format that is easily-understandable to the average
7 taxpayer and allows opportunity to download and meaningfully
8 compare data, available at <http://www.yourmoney.nj.gov>.
9 Evaluations of state transparency websites, such as the April 2018
10 “Following the Money 2018” report compiled by the Frontier Group
11 and U.S. PIRG Education Fund, highlight areas for improvement in
12 the state provision of online access to governing spending data.
13 This bill is intended to implement recommendations contained in
14 the report, in particular recommendations pertaining to the State
15 government transparency website.