

House File 94 - Introduced

HOUSE FILE 94
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 6)

A BILL FOR

1 An Act requiring the development of a searchable budget
2 database and internet site for the public to access the
3 details of the expenditure of state tax revenues and a
4 searchable tax rate database and internet site for the
5 public to access the details of each tax rate for all taxing
6 districts in the state.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.6, Code 2011, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 9A. *Budget and tax rate databases.* To
4 develop and make available to the public a searchable budget
5 database and internet site as required under chapter 8G,
6 division I, and to develop and make available to the public
7 a searchable tax rate database and internet site as required
8 under chapter 8G, division II.

9 Sec. 2. NEW SECTION. 8G.1 **Intent — findings.**

10 The general assembly finds that taxpayers should be able to
11 easily access the details on how the state is spending their
12 tax dollars and the performance results achieved for those
13 expenditures. Therefore, it is the intent of the general
14 assembly to direct the department of management to create
15 and maintain a searchable budget database and internet site
16 detailing where tax dollars are expended, the purposes for
17 which tax dollars are expended, and the results achieved for
18 all taxpayer investments in state government.

19 Sec. 3. NEW SECTION. 8G.2 **Short title.**

20 This subchapter shall be known as and may be cited as the
21 "*Taxpayer Transparency Act*".

22 Sec. 4. NEW SECTION. 8G.3 **Definitions.**

23 As used in this subchapter, unless the context otherwise
24 requires:

25 1. "*Agency*" means a state department, office, board,
26 commission, bureau, division, institution, or public
27 institution of higher education. "*Agency*" includes individual
28 state agencies and programs, as well as those programs and
29 activities that are administered by or involve more than one
30 agency. "*Agency*" includes all elective offices in the executive
31 branch of government and the general assembly. "*Agency*"
32 includes the judicial branch of state government.

33 2. "*Director*" means the director of the department of
34 management.

35 3. "*Entity*" or "*recipients*" means any of the following:

- 1 *a.* A corporation.
- 2 *b.* An association.
- 3 *c.* An employee union.
- 4 *d.* A limited liability company.
- 5 *e.* A limited liability partnership.
- 6 *f.* Any other legal business entity, including nonprofit
- 7 entities.
- 8 *g.* A grant recipient.
- 9 *h.* Contractors.
- 10 *i.* A county, city, school district, or other local
- 11 government entity.

12 “*Entity*” or “*recipients*” does not include an individual

13 recipient of state assistance.

14 4. “*Funding action or expenditure*” includes details on the

15 type of spending that is provided including but not limited

16 to grants, contracts, and appropriations. “*Funding action*

17 *or expenditure*” includes tax exemptions or credits. Where

18 possible, an electronic link to the actual grants or contracts

19 shall be provided. An electronic link shall be in a format

20 that is a searchable document.

21 5. “*Funding source*” means the state account or fund from

22 which the expenditure is appropriated.

23 6. “*Searchable internet site*” means an internet site

24 that allows the public at no cost to search and compile the

25 information identified in section 8G.4 and that provides such

26 information in a format capable of being downloaded from the

27 site to personal computers.

28 7. “*State audit or report*” shall include any audit or report

29 issued by the auditor of state, department of management,

30 legislative services agency, legislative committee, or

31 executive body relating to the entity or recipient of funds,

32 the budget program or activity, or agency.

33 Sec. 5. NEW SECTION. **8G.4 Searchable budget database**

34 **internet site created.**

35 1. By January 1, 2013, the director shall develop and make

1 publicly available a database internet site for searching,
2 accessing, and processing data, including the data required in
3 this section, for the most recent state budget. The internet
4 site shall be developed in such a way that the information can
5 be provided to other software applications, including internet
6 software applications, in a manner and format that allows such
7 software applications to access and interpret the data using
8 the internal programming of the software applications.

9 2. The searchable internet site developed pursuant to this
10 section shall allow the public at no cost to search and compile
11 the information provided pursuant to this subsection. Each
12 state agency shall provide the following:

13 a. Name and principal location or residence of the entity or
14 recipient of state funds.

15 b. Amount of state funds expended.

16 c. Funding or expending agency.

17 d. Funding source of the revenue expended.

18 e. Budget program or activity of the expenditure.

19 f. Descriptive purpose for the funding action or
20 expenditure.

21 g. Expected performance outcome for the funding action or
22 expenditure.

23 h. Past performance outcomes achieved for the funding action
24 or expenditure.

25 i. State audit or report relating to the entity or recipient
26 of state funds or the budget program or activity or agency.

27 j. Any other relevant information specified by the director.

28 3. This section does not apply to local governments.

29 Sec. 6. NEW SECTION. 8G.5 Internet site updates.

30 1. Effective July 1, 2013, the internet site shall be
31 updated for each fiscal year not later than thirty days
32 following the close of the fiscal year. In addition, the
33 director may update the internet site as new data becomes
34 available. All agencies shall provide to the director data
35 that is required to be included on the internet site not later

1 than thirty days after the data becomes available to the
2 agency. The director shall provide guidance to agency heads
3 or the governing body of an agency to ensure compliance with
4 this section.

5 2. By January 1, 2014, the director shall add data for
6 the previous budgets to the internet site. Data for previous
7 fiscal years may be added as it becomes available and as time
8 permits. The director shall ensure that all data added to the
9 internet site remain accessible to the public for a minimum of
10 ten years.

11 Sec. 7. NEW SECTION. 8G.6 **Noncompliance.**

12 The director shall not be considered in compliance with this
13 subchapter if the data required for the internet site is not
14 available in a searchable manner and capable of being compiled
15 or if the public is redirected to other government internet
16 sites unless each of those sites displays information from
17 all agencies and each category of information required can be
18 searched electronically by field in a single search.

19 Sec. 8. NEW SECTION. 8G.10 **Intent — findings.**

20 The general assembly finds that increasing the ease of
21 public access to state and local tax rates, particularly
22 where the rates are currently available from disparate
23 government sources and are difficult for the public to collect
24 and efficiently aggregate, significantly contributes to
25 governmental accountability, public participation, and the
26 understanding of the cost of government services. Therefore,
27 it is the intent of the general assembly to direct the
28 department of management, in consultation with the department
29 of revenue, to create and maintain a searchable database and
30 internet site of each tax rate for all taxing districts in the
31 state to make citizen access to state and local tax rates as
32 open, transparent, and publicly accessible as is feasible.

33 Sec. 9. NEW SECTION. 8G.11 **Short title.**

34 This subchapter shall be known and cited as the "*Taxation*
35 *Disclosure Act*".

1 Sec. 10. NEW SECTION. **8G.12 Tax rate database.**

2 1. *Searchable tax rate database.* By January 1, 2012, the
3 department of management, in consultation with the department
4 of revenue, shall make publicly available on an internet site
5 a searchable database of all tax rates in the state for each
6 taxing jurisdiction. The information shall be aggregated by
7 type of tax and accessible by entering a zip code or physical
8 address for each residency or business. Individual tax levies
9 shall be further specified within each tax rate.

10 2. *Geographical tax rate map.* In addition to searching for
11 tax rates by zip code or physical address for each residency or
12 business, searches shall be accommodated by a geographical tax
13 rate map of the state that is capable of being displayed with a
14 level of specificity corresponding to each taxing district.

15 3. *Individual tax rate calculator.* Tax rate calculators
16 shall be provided on the searchable database to allow citizens
17 and businesses to calculate taxes based on the location of the
18 citizen or business. Calculation capability shall be provided
19 at a minimum for property, sales, use, income, vehicle, and
20 business taxes and shall be specific to the rate for the taxing
21 district identified by the citizen or business.

22 Sec. 11. NEW SECTION. **8G.13 Updating database.**

23 To facilitate the department of management's efforts in
24 creating and maintaining a searchable database of the taxes
25 identified in section 8G.12, subsection 3, for all taxing
26 districts in the state, every taxing district shall report its
27 tax rates annually to the department of management and shall
28 report any changes to its tax rates within thirty days of the
29 change.

30 EXPLANATION

31 This bill enacts new Code chapter 8G which is divided
32 into two separate subchapters. The first subchapter (new
33 Code sections 8G.1 through 8G.6), requires the department of
34 management to develop and make available to the public by
35 January 1, 2013, a single, searchable budget database and

1 internet site. This internet site would allow the public at
2 no cost to search an aggregated database that would provide
3 the names and principal location or residence of recipients of
4 state funds, amount of funds expended, the agency that provided
5 those funds, the program or activity of the expenditure,
6 description of the purpose of the expenditure, expected and
7 past outcomes of funding actions or expenditures, state audits
8 relating to expenditures, and other relevant information. The
9 bill specifies that "recipient" does not include an individual
10 recipient of state assistance.

11 The bill provides that, effective July 1, 2013, the
12 searchable budget database internet site is to be updated
13 within 30 days of the end of each fiscal year. By January 1,
14 2014, data is to be added for previous fiscal years.

15 The second subchapter requires the department of management,
16 in consultation with the department of revenue, by January 1,
17 2012, to develop and operate on an internet site a searchable
18 database of all the tax rates in the state for each taxing
19 district. The database shall include the capability to
20 calculate tax rates for different taxing districts.