

1 HB253
2 195291-1
3 By Representative Pringle
4 RFD: Fiscal Responsibility
5 First Read: 20-MAR-19

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the expenditures of
9 self-sustaining state professional licensing
10 boards, agencies, and commissions are not required
11 to be published on the searchable public Internet
12 database maintained by the Comptroller.

13 This bill would require those
14 self-sustaining state professional licensing
15 boards, agencies, and commissions to publish their
16 expenditure information on the public website of
17 the board, agency, or commission.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 Relating to professional licensing boards, agencies,
24 and commissions; to require each self-sustaining board,
25 agency, or commission exempted from posting expenditures
26 through the searchable public Internet database of the

1 Comptroller, to post the information on the public website of
2 the board, agency, or commission.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) For the purposes of this section, a
5 licensing board is a state professional licensing board,
6 agency, or commission that is self-sustaining by its own
7 revenues and fees, the expenditures of which are not required
8 to be published on the searchable public Internet database
9 maintained by the Comptroller pursuant to Section 41-4-65,
10 Code of Alabama 1975.

11 (b) The expenditures, including contracts and
12 grants, of each licensing board shall be published on the
13 website of the licensing board. The published expenditures
14 shall be electronically searchable by the public, except as
15 provided by subsection (d), and shall include all of the
16 following:

17 (1) The amount, date, payor, and payee of
18 expenditures.

19 (2) A listing of state expenditures by both of the
20 following:

21 a. The object of the expense with links to the
22 warrant or check register level.

23 b. To the extent maintained by the licensing board
24 accounting systems in a reportable format, class and item
25 levels.

26 (c) To the extent possible, the licensing board
27 shall present expenditure information in a manner that is

1 searchable and intuitive to users and shall enhance and
2 organize the presentation of the information through the use
3 of graphical representations, such as pie charts, as the
4 licensing board considers appropriate.

5 (d) The licensing board may not allow public access
6 under this section to the address of a payee, except that the
7 licensing board may allow public access under this section to
8 information identifying the county in which the payee is
9 located. The licensing board may not allow public access under
10 this section to information that is identified by the
11 licensing board as exempt from required disclosure as
12 confidential. The licensing board, or an officer or employee
13 of the licensing board, shall be immune from any civil
14 liability for posting confidential information under this
15 section if the licensing board, or officer or employee of the
16 licensing board, posted the information in reliance on a
17 determination made by the licensing board about the
18 confidentiality of information relating to the expenditures of
19 the licensing board.

20 (e) To the extent any information required to be
21 published on the website is already being collected or
22 maintained by the licensing board, the licensing board shall
23 include that information on the website.

24 (f) The licensing board may not charge a fee to the
25 public to access any information required to be published on
26 the licensing board website pursuant to this section.

1 (g) The Alabama Department of Finance, after
2 consultation with each licensing board, shall prominently
3 include a link to that portion of the website of each
4 licensing board, that includes the expenditure information
5 required to be published by this section on the public home
6 page of the State of Alabama.

7 (h) The home page of the website of each licensing
8 board shall include a prominent link to the expenditure
9 information required to be published by this section.

10 (i) Each licensing board may adopt rules to
11 implement and administer this section.

12 (j) Any vendor, contractor, or other supplier to any
13 licensing board may notify the licensing board in writing that
14 its prices or costs, or both, should be held confidential.
15 Upon receipt of such written notification, the licensing board
16 may not post the prices or costs, or both, specified in the
17 notification unless and until the licensing board investigates
18 whether the prices or costs, or both, claimed in the
19 notification to be confidential should be protected from
20 posting. The investigation shall include a hearing where the
21 vendor, contractor, or other supplier may present
22 justification for holding the information confidential. The
23 ruling of the licensing board on confidentiality shall be
24 based on a standard of reasonableness and shall be subject to
25 review by the courts.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.