

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2282

(Reference to House engrossed bill)

1 Page 2, between lines 32 and 33 insert:

2 "6. ANY IDENTIFYING INFORMATION RELATING TO AN EXPENDITURE OR  
3 DISBURSEMENT MADE BY A LAW ENFORCEMENT OR PROSECUTORIAL AGENCY THAT COULD  
4 COMPROMISE THE INTEGRITY OF A CRIMINAL INVESTIGATION OR PROSECUTION, THE  
5 SAFETY OF A WITNESS OR THE PRIVACY OF A VICTIM OF CRIME."

6 Page 3, after line 15 insert:

7 "3. A STATE UNIVERSITY.

8 4. A SPECIAL TAXING DISTRICT.

9 Sec. 2. Title 41, Arizona Revised Statutes, is amended by adding  
10 chapter 46, to read:

11 CHAPTER 46

12 GOVERNMENTAL REPORTING OF INFORMATION

13 ARTICLE 1. GENERAL PROVISIONS

14 41-4601. Definitions

15 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

16 1. "AGENCY WEBSITE" MEANS A WEBSITE THAT IS CONNECTED TO THE INTERNET  
17 AND THAT IS OWNED, OPERATED OR FUNDED BY A LOCAL GOVERNMENT

18 2. "LOCAL GOVERNMENT" MEANS:

19 A. A COUNTY, CITY OR TOWN WITH A POPULATION OF MORE THAN TWENTY-FIVE  
20 HUNDRED PERSONS.

21 B. ANY COMMUNITY COLLEGE DISTRICT AND SCHOOL DISTRICT HAVING A STUDENT  
22 COUNT OF MORE THAN SIX HUNDRED PUPILS.

23 C. A STATE UNIVERSITY.

24 D. A SPECIAL TAXING DISTRICT.

25 41-4602. Comprehensive internet web portal of local  
26 governments; civil penalty

27 A. THE DEPARTMENT OF ADMINISTRATION SHALL ESTABLISH AN INTERNET WEB  
28 PORTAL THAT PROVIDES A LIST OF ALL LOCAL GOVERNMENTS WITH JURISDICTION OVER  
29 ANY ADDRESS ENTERED BY A USER. EACH LISTING SHALL BE LINKED TO AN AGENCY

1 WEBSITE MAINTAINED BY EACH LOCAL GOVERNMENT THAT SHALL PRIMARILY CONTAIN THE  
2 FOLLOWING INFORMATION:

3 1. THE NAME OF THE LOCAL GOVERNMENT'S GOVERNING BOARD WITH OFFICIAL  
4 CONTACT INFORMATION FOR EACH BOARD MEMBER, INCLUDING A PHONE NUMBER FOR  
5 DIRECT CONTACT BY CONSTITUENTS.

6 2. THE NAME AND CONTACT INFORMATION FOR THE ADMINISTRATIVE HEAD OF THE  
7 LOCAL GOVERNMENT.

8 3. INFORMATION FOR HOW THE GOVERNING BOARD AND ADMINISTRATIVE HEAD OF  
9 THE LOCAL GOVERNMENT ARE SELECTED, INCLUDING DATES OF THE NEXT ELECTION, IF  
10 ANY, DURATIONS OF TERMS AND NAMES AND CONTACT INFORMATION OF APPOINTING  
11 AUTHORITIES, AS APPLICABLE.

12 4. INFORMATION ON TAXES OR FEES CONTROLLED BY THE LOCAL GOVERNMENT AND  
13 PROPOSED CHANGES IN THE TAXES OR FEES.

14 5. INFORMATION ON SPECIAL ELECTIONS, WHICH SHALL BE POSTED AT LEAST  
15 NINETY DAYS IN ADVANCE OF THE ELECTION DATE.

16 6. A LINK TO THE OFFICIAL INTERNET WEBSITE REQUIRED BY SECTION 41-725.

17 B. THE DEPARTMENT SHALL ENFORCE THIS SECTION. AFTER A HEARING, THE  
18 DEPARTMENT MAY IMPOSE A CIVIL PENALTY OF NOT MORE THAN FIVE THOUSAND DOLLARS  
19 AGAINST A LOCAL GOVERNMENT THAT KNOWINGLY POSTS INFORMATION THAT IS NOT  
20 CURRENT. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
21 35-147, CIVIL PENALTIES COLLECTED PURSUANT TO THIS SECTION IN THE STATE  
22 GENERAL FUND.

23 41-4603. Reporting of public funding for public communications

24 A. EVERY PUBLIC OFFICIAL OF THIS STATE SHALL REPORT TO THE DEPARTMENT  
25 OF ADMINISTRATION ALL EXPENDITURES OF PUBLIC MONIES, REGARDLESS OF SOURCE,  
26 THAT ARE SPENT FOR ALL PUBLICATIONS, FLYERS, BILLBOARD ADVERTISING, BROADCAST  
27 ADVERTISING AND PRESS RELEASES THAT INCLUDE THE PUBLIC OFFICIAL'S PROPER NAME  
28 OR PHYSICAL LIKENESS.

29 B. THE DEPARTMENT SHALL MAINTAIN A SEARCHABLE DATABASE OF THESE  
30 EXPENDITURES, INCLUDING THE TYPE OF MEDIUM AND TOTAL EXPENDITURES.

31 41-4604. Debt reporting by governmental entity; enforcement;  
32 civil penalty

1           A. ALL LOCAL GOVERNMENTS SHALL REPORT TO THE DEPARTMENT OF REVENUE  
2 ALL INCURRED DEBT, INCLUDING DATE OF ISSUE, PURPOSE, ORIGINAL AMOUNT, CURRENT  
3 BALANCE, INTEREST PAID TO DATE AND INTEREST PAID IN THE LATEST FULL FISCAL  
4 YEAR ACCORDING TO A SCHEDULE DETERMINED BY THE DEPARTMENT OF REVENUE.

5           B. THE DEPARTMENT OF REVENUE SHALL MAINTAIN AN ONLINE ACCESSIBLE AND  
6 SEARCHABLE DATABASE AND, SUBJECT TO APPROVAL BY THE JOINT LEGISLATIVE BUDGET  
7 COMMITTEE, MAY REQUIRE ADDITIONAL INFORMATION NOT LISTED IN THIS SECTION.

8           C. THE DIRECTOR OF THE DEPARTMENT OF REVENUE SHALL ENFORCE THIS  
9 SECTION. AFTER A HEARING, THE DIRECTOR MAY IMPOSE A CIVIL PENALTY OF NOT  
10 MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS AGAINST A LOCAL GOVERNMENT THAT  
11 FAILS TO REPORT THE DATA REQUIRED BY SUBSECTION C OF THIS SECTION. THE  
12 DIRECTOR SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, CIVIL  
13 PENALTIES COLLECTED PURSUANT TO THIS SECTION IN THE STATE GENERAL FUND.

14           41-4605. Crime statistics; reports on agency websites

15           A. ALL LAW ENFORCEMENT AGENCIES OF THIS STATE, STATE UNIVERSITIES,  
16 COMMUNITY COLLEGE DISTRICTS, CITIES, TOWNS AND COUNTIES SHALL POST ON THEIR  
17 AGENCY WEBSITES STATISTICS ON THE NUMBER OF CRIMES THAT ARE REPORTED WITHIN  
18 THEIR JURISDICTIONS, BY CATEGORY, PURSUANT TO THE DEFINITIONS AND GUIDELINES  
19 OF THE FEDERAL BUREAU OF INVESTIGATION UNIFORM CRIME REPORTING PROGRAM, OR  
20 SUCH OTHER NATIONAL DATABASE AS MAY BE APPLICABLE. THE AGENCIES SHALL  
21 MAINTAIN THESE STATISTICS ON THEIR WEBSITES FOR AT LEAST FIVE CONSECUTIVE  
22 YEARS.

23           B. IN ADDITION TO THE REQUIREMENTS OF SUBSECTION A, EACH LAW  
24 ENFORCEMENT AGENCY SHALL REPORT, BY CATEGORY, THE NUMBER OF CRIMES THAT HAVE  
25 BEEN CLEARED DURING THAT YEAR, BROKEN DOWN BY THE NUMBER OF CRIMES CLEARED BY  
26 ARREST OR EXCEPTION, PURSUANT TO FEDERAL BUREAU OF INVESTIGATION DEFINITIONS  
27 AND THE NUMBER OF CASES BY CATEGORY REFERRED FOR PROSECUTION.

28           C. EACH LAW ENFORCEMENT AGENCY SHALL POST THE STATISTICS REQUIRED  
29 PURSUANT TO THIS SECTION BY JULY 1 OF THE FOLLOWING YEAR.

30           D. IF THE LAW ENFORCEMENT AGENCY DOES NOT MAINTAIN AN AGENCY WEBSITE,  
31 THE LAW ENFORCEMENT AGENCY SHALL REPORT THE STATISTICS REQUIRED BY THIS

1 SECTION ON THE AGENCY WEBSITE OF THE APPROPRIATE GOVERNMENTAL ENTITY THAT HAS  
2 JURISDICTION OVER THE LAW ENFORCEMENT AGENCY.

3 41-4606. County attorney; report on referred prosecutions

4 A. EACH COUNTY ATTORNEY SHALL ANNUALLY REPORT ON ITS AGENCY WEBSITE THE  
5 NUMBER OF CASES, BY CATEGORY, THAT WERE REFERRED BY EACH LAW ENFORCEMENT  
6 AGENCY IN THAT COUNTY TO THE COUNTY ATTORNEY FOR PROSECUTION.

7 B. THE COUNTY ATTORNEY SHALL POST THE INFORMATION REQUIRED IN THIS  
8 SECTION BY JULY 1 OF THE FOLLOWING YEAR.”

9 Amend title to conform

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3/29/10  
9:30 AM  
S: BB/tam