



HOUSE OF REPRESENTATIVES  
AUSTIN

September 5, 2007

Susan Combs, Texas Comptroller  
P.O. Box 13528, Capitol Station  
Austin, Texas 78711-3528

Dear Comptroller Combs:

As the House authors of HB 3430, we are writing to provide clarification of legislative intent with regard to the disclosure of state employees' salaries and personal identities.

HB 3430 is intended to extend on your office's ongoing efforts to increase public access to information about state spending by creating a public website with a comprehensive accounting of all state expenditures. It is intended that the database be searchable to identify payments to contractors, vendors, grantees and other persons who compete to provide goods or services for the state.

However, HB 3430 was not intended to require the identification of state employees by name in detailing state expenditures on wages and salaries paid to state workers. We believe the public should have access to information about state spending on government salaries by specific job title or job description, but we do not believe it is necessary to identify the names of the individual employees in the process.

Texas state law differentiates between payments of wages and salaries to employees of the state and payments made for goods or services procured, bid or otherwise acquired from a third party vendor, contractor or seller. The language in the new Government Code Section 403.024 (c)(2) is central to the different treatment of these different payments. It requires the database to allow users to "ascertain through a single search the total amount of state funding *awarded* to a person by a state agency..." Grants, contracts, bids and other such transactions with outside third parties are *awarded*, but wages and salaries are earned and paid. Consequently the requirement that the database reveal payments to persons applies only to vendors, seller, contractors, grantees and other third parties, but not to payment of wages and salaries to state agency employees.

We knew when we passed it that HB 3430 would bring many implementation-level questions that could not all be answered in advance, leaving a great deal of responsibility with your agency for creating a resource that is of genuine utility to the people of Texas. We appreciate your efforts and the assistance of your staff in working with us throughout the legislative session to develop this initiative, and we look forward to working with your office in implementing the bill. Please do not hesitate to contact us if we can be helpful in any way going forward.

Sincerely,



State Representative Mark Strama



State Representative Corbin Van Arsdale



State Representative Bryan Hughes



State Representative Ken Paxton



State Representative Juan Garcia



Senator Glenn Hegar