

House Bill 2372

Sponsored by Representative NATHANSON; Representatives BARKER, DEMBROW, GELSER, HARKER, J SMITH
(Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Oregon Data Advisory Board. Specifies membership of board. Directs board to conduct ongoing study of state's structure for data sharing, data management and utilization of information systems across state and local government, and prepare reports that identify and recommend improvement to that structure.

Directs Oregon Department of Administrative Services to prepare State Data Sharing Plan for state agencies. Directs department to create enterprise architecture office and data management program to oversee implementation of State Data Sharing Plan, and create and implement data sharing architectures across state agencies that will implement plan's requirements.

Prohibits state agencies from developing or acquiring data systems that do not comply with State Data Sharing Plan unless Oregon Department of Administrative Services determines that compliance is not feasible or cost-effective, or is not otherwise in best interest of state.

A BILL FOR AN ACT

1
2 Relating to information systems.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Oregon Data Advisory Board created.** (1) **The Oregon Data Advisory Board**
5 **is created. The board shall consist of 23 members, as provided in subsections (2) to (5) of this**
6 **section.**

7 **(2) The Governor shall appoint the following members of the board:**

8 **(a) One member to represent the counties of this state.**

9 **(b) One member to represent the cities of this state.**

10 **(c) One member to represent the private technology business sector of this state.**

11 **(d) One member to represent the Transparency Oregon Advisory Commission.**

12 **(e) One member to represent the Criminal Justice Information Standards Advisory**
13 **Board.**

14 **(f) One member to represent the Health Information Technology Oversight Council.**

15 **(g) One member to represent the Oregon Geographic Information Council, as established**
16 **by executive order, or any successor to the Oregon Geographic Information Council.**

17 **(h) One public member who is a resident of this state.**

18 **(3) The Speaker of the House of Representatives shall appoint one member who is a**
19 **member of the House of Representatives at the time of appointment.**

20 **(4) The President of the Senate shall appoint one member who is a member of the Senate**
21 **at the time of appointment.**

22 **(5) The following persons, or the designee of such persons, shall serve as ex officio, voting**
23 **members of the Oregon Data Advisory Board.**

24 **(a) The State Chief Information Officer.**

25 **(b) The Secretary of State.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (c) The State Treasurer.
- 2 (d) The Chief Justice of the Supreme Court.
- 3 (e) The Superintendent of Public Instruction.
- 4 (f) The Chancellor of the Oregon University System.
- 5 (g) The Attorney General.
- 6 (h) The State Court Administrator.
- 7 (i) The Legislative Administrator.
- 8 (j) The State Archivist.
- 9 (k) The Director of the Oregon State Lottery.
- 10 (L) The Director of Human Services.
- 11 (m) The Director of the Oregon Health Authority.

12 (6) A majority of the members of the board constitutes a quorum for the transaction of
13 business.

14 (7) Official action by the board requires the approval of a majority of the members of the
15 board.

16 (8) The board shall elect one of its members to serve as chairperson.

17 (9) If there is a vacancy in an appointed position on the board for any cause, the ap-
18 pointing authority shall make an appointment to become immediately effective.

19 (10) The board shall meet at times and places specified by the call of the chairperson or
20 of a majority of the members of the board.

21 (11) The board may adopt rules necessary for the operation of the board.

22 **SECTION 2. Board's functions.** (1) The Oregon Data Advisory Board shall conduct an
23 ongoing study of the state's structure for data sharing, data management and the utilization
24 of information systems across state and local government, and prepare reports that identify
25 and recommend improvements to that structure. The study conducted by the board shall
26 seek to identify strategies and systems that:

27 (a) Promote and coordinate the development and sharing of data and information among
28 state and local government agencies.

29 (b) Promote data sharing and improve interoperability of the data and information sys-
30 tems used by different government agencies.

31 (c) Promote the integrity and security of data, information and information systems.

32 (d) Protect the privacy and confidentiality of citizens' information.

33 (e) Improve efficiencies through better data management and the reduction of duplicate
34 information systems development and duplicate data collection, storage and maintenance.

35 (f) Reduce the barriers to effective and efficient use of data within and between govern-
36 ment agencies.

37 (2) In addition to the reports required under subsection (1) of this section, the board shall
38 make recommendations to the Information Resources Management Council and to the
39 Oregon Department of Administrative Services for governance, business architectures, data
40 architectures, data management, information systems development and any related rules,
41 policies and standards that may need to be developed over time.

42 **SECTION 3. Reports.** (1) Reports prepared by the Oregon Data Advisory Board under
43 section 2 of this 2011 Act must include:

44 (a) Recommendations for data protocols, procedures and standards that promote
45 collaborative data development and sharing, improve interoperability of the data and infor-

1 mation systems used by different government agencies, and reduce redundant data col-
 2 lection, storage and maintenance.

3 (b) Recommendations to the Oregon Department of Administrative Services on the de-
 4 velopment of business architectures, data architectures and related rules, policies and stan-
 5 dards.

6 (c) Identification of opportunities for collaborative data development, data sharing and
 7 shared system use among and between state and local government agencies.

8 (d) Identification of opportunities for application interoperability, sharing and consol-
 9 idation.

10 (e) Inventories of data, applications and information technology systems used by state
 11 and local governments.

12 (f) Recommendations to the Information Resources Management Council and the Oregon
 13 Department of Administrative Services on the development of the State Data Sharing Plan.

14 (g) A review of the State Data Sharing Plan developed by the Oregon Department of
 15 Administrative Services and recommendations to the Legislative Assembly on funding for the
 16 execution of the plan.

17 (2) The board shall prepare a report once every two years and provide a copy of the re-
 18 port to the Legislative Assembly in the manner provided by ORS 192.245 by September 1 of
 19 every even-numbered year.

20 **SECTION 4. Subcommittees.** (1) The Oregon Data Advisory Board shall establish the
 21 following subcommittees to assist the board in performing its functions:

22 (a) A criminal justice subcommittee to coordinate with the Criminal Justice Information
 23 Standards Advisory Board.

24 (b) A human services subcommittee.

25 (c) A health information technology subcommittee to coordinate with the Health Infor-
 26 mation Technology Oversight Council.

27 (d) A geospatial data and geographic information systems subcommittee to coordinate
 28 with the Oregon Geographic Information Council, as established by executive order, or any
 29 successor to the Oregon Geographic Information Council.

30 (2) The Oregon Data Advisory Board shall establish other subcommittees that the board
 31 considers necessary to assist the board in performing its functions.

32 **SECTION 5. State Data Sharing Plan.** (1) Not later than _____, the Oregon Department
 33 of Administrative Services shall:

34 (a) Prepare a State Data Sharing Plan for state agencies; and

35 (b) Adopt all rules, policies and standards governing data development, data management,
 36 data storage and data sharing by state agencies that are necessary to implement the plan.

37 (2) The Oregon Department of Administrative Services shall create an enterprise archi-
 38 tecture office and data management program to:

39 (a) Oversee the implementation of the State Data Sharing Plan; and

40 (b) Create and implement data sharing architectures across state agencies that will im-
 41 plement the plan's requirements.

42 (3) The State Data Sharing Plan must include:

43 (a) Identification of appropriate rules, policies, standards and procedures for state agen-
 44 cies to follow in developing interoperable information systems and in collecting, managing
 45 and sharing data.

1 (b) An inventory of data and information systems used by state agencies.

2 (c) Assessment of the maturity of data sharing and data interoperability across state
3 government.

4 (d) Data management procedures for state agencies.

5 (e) Projected costs and benefits of implementing the plan.

6 **SECTION 6. Agency cooperation.** All state agencies shall assist the Oregon Data Advisory
7 Board in the performance of its duties and, to the extent permitted by laws governing
8 confidentiality, furnish information and advice requested by the board. State agencies shall
9 cooperate with the board and the Oregon Department of Administrative Services in the de-
10 velopment and implementation of enterprise architectures, standards and procedures for in-
11 formation systems development and data collection and management sharing.

12 **SECTION 7. Compliance of state agency information technology projects with State Data**
13 **Sharing Plan.** The Oregon Department of Administrative Services shall review all state
14 agency information technology projects to determine whether the projects comply with the
15 State Data Sharing Plan. State agencies may only develop or acquire data systems that meet
16 those standards, unless the department determines that compliance is not feasible or cost-
17 effective, or is not otherwise in the best interest of the state.

18 **SECTION 8.** The section captions used in this 2011 Act are provided only for the con-
19 venience of the reader and do not become part of the statutory law of this state or express
20 any legislative intent in the enactment of this 2011 Act.

21