

## HB 3361 A STAFF MEASURE SUMMARY

### House Committee On Rules

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**Action Date:** 05/16/17

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 8-0-1-0

**Yeas:** 8 - Barreto, Hack, Kennemer, McLane, Nosse, Rayfield, Smith Warner, Williamson

**Exc:** 1 - Holvey

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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#### WHAT THE MEASURE DOES:

Directs State Chief Information Officer (SCIO) to appoint Chief Data Officer (CDO) to maintain web portal for publication of state agency data. Defines "publishable data." Directs CDO to publish technical standards manual by November 5, 2018, and establish open data standard. Sets operative date of May 1, 2019, for release of publishable data and information management by state agencies. Permits SCIO to adopt rules to allow agencies to withhold data when specific conditions exist.

#### ISSUES DISCUSSED:

- Current process of data disclosure
- Need for common open data standards and inventory
- Importance of improving transparency and agency cross-analysis
- Improving ease of public access to information

#### EFFECT OF AMENDMENT:

Exempts materials of commercial value or materials that could reduce agency's competitive advantage from definition of "publishable data." Permits SCIO to adopt rules to allow agency to withhold data when release would subject information system to substantial risk of cyberattack or when agency is purchasing software or vendor service and industry practices do not support downstream processing and dissemination activities. Clarifies that public records laws apply. Requires CDO to publish technical standards manual on or before November 5, 2018. Establishes operative dates of May 1, 2019 for information management and release of publishable data on web portal by state agencies. Removes emergency clause.

#### BACKGROUND:

The State Chief Information Officer (SCIO) is currently required to maintain a transparency website where a variety of records and information about state entities is publicly available, including reports, financial information, descriptions of agency functions and programs, notices of public meetings, links to administrative rules, information about contracts and economic development programs, and links and instructions on how to request public records. House Bill 3361-A furthers this function by recognizing information as a valuable state resource amenable to more efficient and uniform management practices.

House Bill 3361-A establishes the position of Chief Data Officer (CDO) appointed by the SCIO to maintain a web portal for state agencies to release all publishable data. The measure specifies that the CDO is responsible for establishing an open data standard, publishing a technical standards manual, creating an inventory of publicly available state data and suggesting analytical opportunities. House Bill 3361-A also establishes an advisory group on state data to assist the CDO in crafting the open data standard and technical manual; the manual and standards will be available for local

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and tribal governments to utilize and adopt. In addition, the measure sets standards for data management by state agencies and reinforces the state's presumption of openness by requiring them to collect or create information in a way that supports downstream processing and dissemination activities, including: building information systems to support interoperability and information accessibility; strengthening data management and release practices to ensure data assets are managed and maintained throughout the assets' life cycle; and strengthening measures to ensure that privacy and confidentiality are fully protected and that data are properly secured. Finally, the measure sets minimum requirements for all new state agency information systems that must be included in project planning documentation and technical design to ensure the system is prepared for data sharing.