

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 983

TO PROVIDE TRANSPARENCY AND OPEN ACCESS TO PUBLIC RECORDS AND DATA.

Amendment No. 1 to Senate Bill No. 983

Amend Senate Bill No. 983 as originally introduced:

Add Representative Neal as a cosponsor of the bill

AND

Delete the title in its entirety and substitute:

"AN ACT TO PROVIDE TRANSPARENCY AND OPEN ACCESS TO PUBLIC RECORDS AND DATA; TO CREATE THE OPEN DATA AND TRANSPARENCY TASK FORCE TO DETERMINE THE BEST PRACTICES FOR THE STATE TO ACHIEVE THE MOST EFFICIENT SYSTEM FOR MAINTAINING AND DELIVERING THE STATE'S PUBLIC RECORDS AND DATA; TO MAKE RECOMMENDATIONS FOR LEGISLATION TO ACHIEVE A COMPREHENSIVE OPEN DATA AND TRANSPARENCY ACT; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE THE OPEN DATA AND TRANSPARENCY TASK FORCE TO DETERMINE THE BEST PRACTICES FOR THE STATE TO ACHIEVE THE MOST EFFICIENT SYSTEM FOR MAINTAINING AND DELIVERING THE STATE'S PUBLIC RECORDS AND DATA."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. DO NOT CODIFY. Open Data and Transparency Task Force.

(a) As used in this section, "state agency" means an agency, institution, authority, department, board, commission, bureau, council, or other agency of the State of Arkansas supported by cash funds or the appropriation of state or federal funds.

(b)(1) The General Assembly finds that:

(A) State agencies contain great amounts of valuable information and reports on all aspects of life for the citizens of this state, including without limitation health, business, public safety, labor,



and transportation data;

(B) The tremendous amount of data maintained by state agencies can result in the duplication of efforts, data, records, and parts of data and records that may result in the maintenance of inconsistent data and records concerning the same citizen;

(C) The lack of a quick and efficient delivery system to respond to legislative and executive branch inquiries is harmful to the policy-making process and ultimately costs taxpayers money;

(D) Progressive states have evolved to become data-driven governments that use data as a strategic asset to improve the delivery of services to the state's citizens and to become more efficient stewards of citizens' data;

(E) Ensuring the quality and consistency of public data is essential to maintaining the data's value and utility;

(F) New information technology has fundamentally changed the way people search for and expect to find information and can aggregate large quantities of data to allow the state to provide better information to citizens with increasing efficiency and thoroughness; and

(G) The state should:

(i) Evaluate ways to appropriately, efficiently, and securely share data between and within state agencies to allow for quicker, more impactful cross-agency analysis to allow policymakers to make quicker, more informed decisions; and

(ii) Use the innovations in information technology to enhance public access to public data to make the state more transparent and to promote public trust while eliminating waste, fraud, and abuse in the execution and delivery of government services.

(2) It is the intent of the General Assembly by this act to enable the Open Data and Transparency Task Force to:

(A) Evaluate, study, and address the findings contained in subdivision (b)(1) of this section;

(B) Determine the best practices for the state to achieve the most efficient system for maintaining and delivering the state's public records and data to public officials, government entities, and private citizens; and

(C) Recommend specific solutions and legislation for an efficient open data and transparency law based upon open data policy principles for state agencies to maintain and share public data that is owned, controlled, collected, or maintained by state agencies.

(c) The Open Data and Transparency Task Force is created.

(d) The task force shall consist of the following members:

(1) One (1) member appointed by the Governor;

(2) One (1) member appointed by the Speaker of the House of Representatives;

(3) One (1) member appointed by the President Pro Tempore of the Senate;

(4) The Chair of the House Committee on State Agencies and Governmental Affairs or a member of the House Committee on State Agencies and Governmental Affairs designated by the chair;

(5) The Chair of the Senate Committee on State Agencies and Governmental Affairs or a member of the Senate Committee on State Agencies and Governmental Affairs designated by the chair;

(6) The House Cochair of the Joint Committee on Advanced Communications and Information Technology or a House member of the Joint Committee on Advanced Communications and Information Technology designated by the House cochair;

(7) The Senate Cochair of the Joint Committee on Advanced Communications and Information Technology or a Senate member of the Joint Committee on Advanced Communications and Information Technology designated by the Senate cochair;

(8) The Director of the Department of Finance and Administration or his or her designee;

(9) The Director of the Department of Health or his or her designee;

(10) The Director of the Department of Human Services or his or her designee;

(11) The Director of the Department of Education or his or her designee;

(12) The Director of the Department of Higher Education or his or her designee;

(13) The Director of the Department of Correction or his or her designee;

(14) The Director of the Department of Community Correction or his or her designee;

(15) The Director of the Department of Information Systems or his or her designee; and

(16) The Attorney General or his or her designee.

(e) A vacancy on the task force shall be filled by the appointing authority for the unexpired portion of the term in which it occurs.

(f)(1) The Governor shall designate his or her appointee to the task force to:

(A) Call the first meeting of the task force on or before September 1, 2015; and

(B) Serve as chair.

(2) At the first meeting, the members of the task force shall elect from its membership a vice chair.

(3) The task force shall conduct its meetings in Pulaski County at the State Capitol or via teleconference or web conference as technology permits and as desired to allow for scheduling flexibility for its members.

(4) The task force shall meet at least bimonthly or as decided upon by the task force.

(g)(1) A majority of the members of the task force shall constitute a quorum for transacting any business of the task force.

(2) An affirmative vote of a majority of a quorum present shall be necessary to transact business.

(h) The Department of Information Systems shall provide staff for the task force.

(i) The task force shall:

(1) Evaluate, study, and address the findings contained in subdivision (b)(1) of this section;

(2) Determine the best practices for the state to achieve the most efficient system for maintaining and delivering the state's public records and data to public officials, government entities, and private citizens; and

(3) Recommend specific solutions and legislation for an efficient open data and transparency law based upon open data policy principles for state agencies to maintain and share public data that is owned, controlled, collected, or maintained by state agencies.

(j) The task force shall provide a written report by December 31, 2016, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives containing the results of its findings and activities and its recommendations, including recommendations for proposed legislation.

(k) The task force expires on January 1, 2017."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Woods

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Secretary