

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1793

5 By: Representatives McCollum, S. Meeks  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE A PANEL ON DATA TRANSPARENCY; TO  
9 CREATE THE POSITIONS OF CHIEF DATA OFFICER AND CHIEF  
10 PRIVACY OFFICER WITHIN THE DEPARTMENT OF INFORMATION  
11 SYSTEMS; AND FOR OTHER REASONS.  
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## Subtitle

14 TO CREATE A PANEL ON DATA TRANSPARENCY;  
15 AND TO CREATE THE POSITIONS OF CHIEF DATA  
16 OFFICER AND CHIEF PRIVACY OFFICER WITHIN  
17 THE DEPARTMENT OF INFORMATION SYSTEMS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 25, Chapter 4, is amended to add an  
24 additional sections to read as follows:

25 25-4-126. Chief Data Officer and Chief Privacy Officer.

26 (a)(1) The Director of the Department of Information Systems shall  
27 select an individual to serve as the Chief Data Officer of the Department of  
28 Information Systems and the Chief Privacy Officer of the Department of  
29 Information Systems.

30 (2) The Chief Data Officer of the Department of Information  
31 Systems and the Chief Privacy Officer of the Department of Information  
32 Systems shall not be the same person.

33 (b) The Chief Data Officer of the Department of Information Systems  
34 shall:

35 (1) Manage all state agencies' open government data efforts that  
36 include without limitation offering application programming interfaces and



1 creating public data products;

2 (2) Implement initiatives to decrease the cost of managing data  
3 and increase the value of data in the custody of a state agency;

4 (3) Implement initiatives to improve the collection, use,  
5 management, and publishing of data in the custody of a state agency;

6 (4) Lead efforts to locate data collections, data purchases,  
7 databases, physical data models, and linkages between data sets;

8 (5) Implement methods to improve data quality and the  
9 measurement of data quality;

10 (6)(A) Facilitate the availability, reliability, consistency,  
11 accessibility, security, and timeliness of data that supports the mission and  
12 activities of a state agency.

13 (B) As used in subdivision (b)(6)(A) of this section,  
14 "activities of a state agency" includes without limitation:

15 (i) Separating data from apps and systems;

16 (ii) Exposing data as a service to the state agency  
17 and the public;

18 (iii) Adding semantic layers to power machine  
19 learning;

20 (iv) Mining data for new features; and

21 (v) Enabling identity and geography by dataset as a  
22 service;

23 (7) Align and standardize data models;

24 (8) Facilitate and oversee a data-working group between state  
25 agencies;

26 (9) Develop state agency data standards and specifications with  
27 the assistance of the Chief Privacy Officer of the Department of Information  
28 Systems;

29 (10) Direct and oversee the Data and Transparency Panel; and

30 (11) Perform any other duty necessary to implement a statewide  
31 data warehouse program in this state.

32 (c) The Chief Privacy Officer of the Department of Information Systems  
33 shall oversee, develop, and implement methods to ensure that all state  
34 agencies comply with federal and state laws governing the privacy and access  
35 to protected data.

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25-4-127. Data and Transparency Panel – Creation – Duties.

(a) The Data and Transparency Panel is created within the Department of Information Systems.

(b) The panel shall consist of the following members:

(1)(A) Three (3) appointees from the private sector who shall be appointed as follows:

(i) One (1) appointee shall be appointed by the Governor;

(ii) One (1) appointee shall be appointed by the Speaker of the House of Representatives; and

(iii) One (1) appointee shall be appointed by the President Pro Tempore of the Senate.

(B) Each appointee shall serve at the pleasure of his or her appointer.

(C) The appointer of an appointee who vacates his or her position on the panel shall fill the vacancy as required under this section;

(2) The Attorney General or his or her designee;

(3) The directors, or their designees, of the following departments:

(A) The Department of Arkansas State Police;

(B) The Department of Career Education;

(C) The Department of Community Correction;

(D) The Department of Correction;

(E) The Department of Education;

(F) The Department of Finance and Administration;

(G) The Department of Health;

(H) The Department of Higher Education;

(I) The Department of Human Services;

(J) The Department of Information Systems; and

(K) The Department of Labor;

(4)(A) The Chief Data Officer of the Department of Information Systems.

(B) The Chief Data Officer of the Department of Information Systems shall be the Chair of the Data and Transparency Panel.

(C) The members of the panel shall select a vice chair annually; and

1           (5) The Chief Privacy Officer of the Department of Information  
2 Systems.

3           (c) The panel shall:

4           (1) Perform a feasibility and cost study on the development of a  
5 statewide data warehouse program;

6           (2) Evaluate and identify data to be included in the statewide  
7 data warehouse;

8           (3) Determine and recommend procedures necessary for the  
9 implementation of a statewide data warehouse;

10           (4) Oversee a statewide data warehouse program implemented in  
11 this state;

12           (5) Evaluate and identify data that may be provided to the  
13 public in accordance with data standards and specifications developed by the  
14 Department of Information Systems; and

15           (6) Provide annual reports to the Joint Committee on Advanced  
16 Communications and Information Technology.

17           (d)(1) The panel shall meet at least quarterly in each calendar year  
18 at a time and place determined by the panel.

19           (2) Special meetings may be called at the discretion of the  
20 chair.

21           (e) Nine (9) members of the panel shall constitute a quorum to  
22 transact the business of the panel.

23           (f) The Department of Information Systems may reimburse a member of  
24 the panel for reasonable expenses incurred in the performance of his or her  
25 duties as a member of the panel in accordance with § 25-16-901 et seq.

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27           25-4-128. Data and Transparency Panel – Records – Confidentiality.

28           (a) All records, reports, and other information obtained by the Data  
29 and Transparency Panel shall be confidential unless approved for publication  
30 in accordance with data standards and specifications developed by the  
31 Department of Information Systems.

32           (b) A person, agency, or entity that furnishes confidential  
33 information in good faith under this chapter is immune from criminal or civil  
34 liability arising out of the release of the confidential information.

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