

**AN ACT CONCERNING EXECUTIVE BRANCH DATA MANAGEMENT
AND PROCESSES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) As used in this section and
2 sections 2 and 3 of this act:

3 (1) "Data" means the final version of statistical or factual information
4 that: (A) Is reflected in a list, table, graph, chart or other non-narrative
5 form that can be digitally or nondigitally transmitted or processed; (B)
6 is regularly created or maintained by, or on behalf of, an executive
7 branch agency; and (C) records a measurement, transaction or
8 determination related to the mission of the agency or is provided to the
9 agency by third parties pursuant to law.

10 (2) "Executive branch agency" includes any agency listed in section
11 4-38c of the general statutes, except the Board of Regents for Higher
12 Education.

13 (3) "High value data" means any data that (A) is critical to the
14 operation of an executive branch agency; (B) can increase executive
15 branch agency accountability and responsiveness; (C) can improve
16 public knowledge of the executive branch agency and its operations;
17 (D) can further the core mission of the executive branch agency; (E) can
18 create economic opportunity; (F) is frequently requested by the public;
19 (G) responds to a need and demand as identified by the agency
20 through public consultation; or (H) is used to satisfy any legislative or

21 other reporting requirements.

22 (4) "Open data" means any data that (A) is freely available in
23 convenient and modifiable format and can be retrieved, downloaded,
24 indexed and searched; (B) is formatted in a manner that allows for
25 automated machine processing; (C) does not have restrictions
26 governing use; (D) is published in primary forms, with the finest
27 possible level of detail that is practicable and permitted by law; and (E)
28 is described in enough detail so consumers of the data have sufficient
29 information to understand (i) the strengths, weaknesses, analytical
30 limitations and security requirements of the data, and (ii) how to
31 process such data.

32 (5) "Public data" means any data collected by an executive branch
33 agency that is permitted to be made available to the public, consistent
34 with any and all applicable laws, rules, regulations, ordinances,
35 resolutions, policies or other restrictions, requirements or rights
36 associated with the data, including, but not limited to, contractual or
37 other legal restrictions, orders or requirements.

38 (6) "Protected data" means any data the public disclosure of which
39 would (A) violate federal or state laws or regulations; (B) endanger the
40 public health, safety or welfare; (C) hinder the operation of
41 government, including criminal and civil investigations; or (D) impose
42 an undue financial, operational or administrative burden on the
43 executive branch agency.

44 Sec. 2. (NEW) (*Effective from passage*) (a) The Secretary of the Office
45 of Policy and Management shall designate an existing employee of the
46 Office of Policy and Management to serve as Chief Data Officer, who
47 shall report directly to the secretary. The Chief Data Officer, in
48 consultation with the Connecticut Data Analysis Technology Advisory
49 Board, established in section 3 of this act, and in accordance with the
50 state data plan created pursuant to subsection (c) of this section, shall
51 be responsible for (1) directing executive branch agencies on the use
52 and management of data to enhance the efficiency and effectiveness of

53 state programs and policies, (2) facilitating the sharing and use of
54 executive branch agency data (A) between executive branch agencies,
55 and (B) with the public, (3) coordinating data analytics and
56 transparency master planning for executive branch agencies, and (4)
57 formulating of the state data plan in accordance with subsection (c) of
58 this section.

59 (b) Each executive branch agency shall designate an employee of the
60 agency to serve as the agency data officer, who shall be responsible for
61 implementing the provisions of this section under the supervision of
62 the Chief Data Officer and the executive branch agency head, and who
63 shall serve as the main contact person for inquiries, requests or
64 concerns regarding access to the data of such agency, unless the Chief
65 Data Officer designates another person for such task. The agency data
66 officer, in consultation with the Chief Data Officer and the executive
67 agency head, shall establish procedures to ensure that requests for data
68 that the agency receives are complied with in an appropriate and
69 prompt manner. Each agency data officer shall also advise the agency
70 head on how data collected by the agency could be useful to the
71 agency, recommend additional data to be collected and implement
72 improvements in data management procedures, in accordance with the
73 state data plan.

74 (c) Not later than December 31, 2018, and every two years
75 thereafter, the Chief Data Officer, in consultation with the agency data
76 officers, executive branch agency heads and Connecticut Data Analysis
77 Technology Advisory Board, shall create a state data plan. The state
78 data plan shall (1) establish uniform management and data analysis
79 standards across all executive branch agencies, including particular
80 standards for individual agencies, (2) include specific, achievable goals
81 within the two years following adoption of such plan, as well as longer
82 term goals, (3) make recommendations to achieve more
83 standardization and cross-compatibility of data systems and data
84 management practices across all executive branch agencies, (4) provide
85 a timeline for a review of any state or federal legal concerns or other

86 obstacles to the internal sharing of data among agencies, including
87 security and privacy concerns, (5) set goals for improving the online
88 repository established pursuant to subsection (h) of this section, and
89 (6) detail the agency's plan to publish, as open data, any public data
90 that each executive branch agency has identified and any protected
91 data that can be made public through aggregation, de-identification or
92 other means sufficient to satisfy applicable state or federal law or
93 regulation. Each state data plan shall provide for a procedure and
94 timeline for each agency head, in consultation with the agency data
95 officer, to report in writing to the Chief Data Officer regarding the
96 agency's progress toward achieving the plan's goals. Such plan may
97 make recommendations concerning data management for the
98 legislative or judicial branch agencies, but such recommendations shall
99 not be binding on such agencies.

100 (d) The Chief Data Officer shall submit a preliminary draft of such
101 plan to the Connecticut Data Analysis Technology Advisory Board not
102 later than November 1, 2018, and every two years thereafter. Said
103 board shall hold a public hearing on such draft and shall submit any
104 suggested revisions to the Chief Data Officer after such hearing.

105 (e) After the public hearing and if applicable, receiving any
106 recommended revisions from the board, the Chief Data Officer shall
107 finalize such plan and submit the final plan to the board for their
108 approval. The plan shall be deemed approved if the board does not
109 meet to approve or disapprove such plan within thirty days after
110 receiving such plan. The board may disapprove such plan by a
111 majority vote of the board's total membership. If the draft is
112 disapproved, the board shall notify the Chief Data Officer and advise
113 him or her of the reasons for such disapproval. The Chief Data Officer
114 shall revise and resubmit such plan not later than thirty days after such
115 disapproval. If such plan is again disapproved, the process set forth in
116 this subsection shall repeat until the plan is approved by the board.

117 (f) The Chief Data Officer shall send a copy of the approved state

118 data plan to all agency data officers and shall post such plan on the
119 Internet web site of the Office of Policy and Management.
120 Notwithstanding any provision of the general statutes, such state data
121 plan shall govern the information technology-related actions and
122 initiatives of all executive branch state agencies, including, but not
123 limited to, the acquisition of hardware and software and the
124 development of software.

125 (g) On or before December 31, 2018, and not less than annually
126 thereafter, each executive branch agency shall conduct an inventory of
127 any high value data that is collected or possessed by the agency. Such
128 inventory shall be in a form prescribed by the Chief Data Officer. In
129 conducting such inventory, data shall be presumed to be public data
130 unless otherwise classified by federal or state law or regulation. On or
131 before December 31, 2018, and not less than annually thereafter, each
132 executive branch agency shall submit such inventory to the Chief Data
133 Officer and the Connecticut Data Analysis Technology Advisory
134 Board.

135 (h) The Office of Policy and Management, in consultation with the
136 Connecticut Data Analysis Technology Advisory Board, shall operate
137 and maintain an online repository for the publication of open data by
138 executive branch agencies.

139 (i) Any state agency that is not an executive branch agency and any
140 municipality may voluntarily opt to comply with the provisions of this
141 section and, upon submission of written notice of the agency's or
142 municipality's decision to the Office of Policy and Management, the
143 provisions of this section shall apply to such agency or municipality.
144 The Office of Policy and Management shall create and maintain a list
145 of all agencies subject to the provisions of this section, including those
146 agencies and municipalities that have voluntarily opted to comply, and
147 shall publish such list on the office's Internet web site.

148 Sec. 3. (NEW) (*Effective from passage*) (a) There is established the
149 Connecticut Data Analysis Technology Advisory Board, which shall be

150 part of the Legislative Department.

151 (b) The board shall consist of the following members: (1) Two
152 appointed by the speaker of the House of Representatives; (2) two
153 appointed by the president pro tempore of the Senate; (3) two
154 appointed by the minority leader of the House of Representatives; and
155 (4) two appointed by the minority leader of the Senate. All appointed
156 members shall have professional experience or academic qualifications
157 in data analysis, data management, data policy or related fields and
158 may not be a member of the General Assembly. Additional nonvoting
159 members shall include the following officials, or their designees: the
160 Commissioner of Administrative Services, the executive director of the
161 Freedom of Information Commission, the Attorney General, the Chief
162 Court Administrator, the State Librarian, the Treasurer and the
163 Comptroller. The Chief Data Officer shall serve as the nonvoting
164 chairperson of the board.

165 (c) All initial appointments to the board shall be made not later than
166 July 1, 2018, and shall terminate on June 30, 2019, and June 30, 2020,
167 regardless of when the initial appointment was made. Any member of
168 the board may serve more than one term. The chairperson shall
169 schedule the first meeting of the board, which shall be held not later
170 than August 1, 2018. All nonvoting members of the board shall attend
171 such initial meeting.

172 (d) The administrative staff of the joint standing committee of the
173 General Assembly having cognizance of matters relating to
174 government administration shall serve as administrative staff of the
175 board, with assistance as needed provided by employees of the Offices
176 of Legislative Research and Fiscal Analysis.

177 (e) Appointed members of the board shall serve for two-year terms
178 which shall commence on the date of appointment, except as provided
179 in subsection (d) of this section, and members first appointed shall
180 have the following terms: (1) One of the members each appointed by
181 the speaker of the House of Representatives, the president pro tempore

182 of the Senate, the minority leader of the Senate and the minority leader
183 of the House of Representatives shall initially serve a term of one year,
184 and (2) one of the members each appointed by the speaker of the
185 House of Representatives, the president pro tempore of the Senate, the
186 minority leader of the Senate and the minority leader of the House of
187 Representatives shall initially serve a term of two years. Members shall
188 continue to serve until their successors are appointed.

189 (f) Any vacancy shall be filled by the appointing authority. Any
190 vacancy occurring other than by expiration of term shall be filled for
191 the balance of the unexpired term.

192 (g) Five voting members of the board shall constitute a quorum for
193 the transaction of any business. The members of the board shall serve
194 without compensation, except the Joint Committee on Legislative
195 Management may reimburse the members for reasonable expenses.

196 (h) The board shall have the following powers and duties: (1) To
197 advise the Chief Data Officer, the legislative and judicial branches of
198 government and municipalities concerning data policy, including, but
199 not limited to, best practices in the public, private and academic
200 sectors for data analysis, management, storage, security, privacy and
201 visualization; (2) to issue an annual report in accordance with
202 subsection (j) of this section; (3) upon the request of at least two
203 members of the board, to request any agency data officer or agency
204 head to appear before the board to answer questions; (4) to obtain from
205 any executive department, board, commission or other agency of the
206 state such assistance and data as necessary and available to carry out
207 the purposes of this section; (5) to establish bylaws to govern its
208 procedures; and (6) to perform such other acts as may be necessary
209 and appropriate to carry out the duties described in this section.

210 (i) The Chief Data Officer and the chairperson of the Freedom of
211 Information Commission shall submit a summary at least twice
212 annually of requests for public data received and the fulfillment status
213 of such requests to the board, in a format prescribed by the board. The

214 board may, by majority vote, recommend the Chief Data Officer or
215 executive branch agency to reprioritize certain open data requests. By
216 unanimous vote of the board, the board may require the Chief Data
217 Officer to fulfill a data request within sixty days of such vote. The
218 Attorney General may overrule such vote within such sixty-day period
219 on the grounds that such fulfillment would violate state or federal law.

220 (j) Not later than January 1, 2019, and annually thereafter, the board
221 shall submit a report, in accordance with the provisions of section 11-
222 4a of the general statutes, to the joint standing committees of the
223 General Assembly having cognizance of matters relating to
224 government administration, appropriations and the budgets of state
225 agencies and the judiciary. Such report shall include the board's
226 recommendations for the legislative, judicial and executive branches
227 and the Chief Data Officer regarding data practices in all agencies, the
228 sharing of data and compatibility of data systems across the three
229 branches of government, improvements to the formatting and
230 accessibility of all public open datasets and any other matter the board
231 has recommendations concerning, including legislation necessary to
232 implement such recommendations.

233 (k) The board shall meet at least twice a year and may meet at such
234 other times as deemed necessary by the chairperson or a majority of
235 the members of the board.

236 Sec. 4. Section 4-68z of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective July 1, 2018*):

238 The Office of Policy and Management, within available
239 appropriations, shall [enter into an agreement for consultant services
240 to apply LEAN practices and principles to the permitting and
241 enforcement processes of the Departments of Energy and
242 Environmental Protection, Economic and Community Development,
243 Administrative Services and Transportation that are most frequently
244 utilized by business entities. Such agreement shall also require the
245 consultant to apply LEAN practices and principles to the licensure

246 procedures for commercial bus drivers that are currently performed by
247 the Departments of Consumer Protection, Emergency Services and
248 Public Protection, and Children and Families. Such consultant shall
249 develop recommendations for the implementation of a prepermitting
250 system for commercial bus drivers that enables businesses to utilize
251 commercial bus drivers who await the applicable licensing authority's
252 performance of a criminal background check] establish and oversee a
253 state-wide process improvement initiative, to assist executive branch
254 state agencies with business process analysis for purposes of (1)
255 streamlining processes, (2) optimizing service delivery through
256 information technology, (3) eliminating unnecessary work, (4)
257 establishing standardized work flows, and (5) prioritizing available
258 resources to promote economic growth, improve services and increase
259 workforce productivity. On and after the date the state data plan is
260 adopted pursuant to section 2 of this act, such initiative shall be
261 implemented in accordance with such state data plan. The Secretary of
262 the Office of Policy and Management shall establish a steering
263 committee to support such initiative. The secretary, or the secretary's
264 designee, shall be the chairperson of such committee.

265 Sec. 5. Section 4-60s of the general statutes is repealed and the
266 following is substituted in lieu thereof (*Effective July 1, 2018*):

267 (a) Each state agency of the Executive Department shall explore the
268 feasibility of converting all applications and forms used by the public
269 to electronic format and create an inventory of all forms used by such
270 agency.

271 (b) Notwithstanding the provisions of chapter 54, an agency, as
272 defined in section 4-166, may suspend any requirements for paper
273 filing or service of documents requirements contained in any
274 regulation adopted by such agency pursuant to subdivision (1) of
275 subsection (a) of section 4-167 and may establish an electronic filing
276 system for formal and informal agency proceedings. Such agency,
277 before establishing such a system, shall give at least thirty days' notice

278 by posting on its Internet web site and publishing in the Connecticut
279 Law Journal a notice of its intended action and the instructions for the
280 use of such system. Any agency establishing such a system shall grant
281 a request from a person, as defined in section 4-166, for an exemption
282 from any electronic filing requirements due to a hardship
283 communicated in writing to the agency, including, but not limited to, a
284 lack of access to a device capable of electronic filing or the
285 incompatibility of a specific filing with the electronic filing system.

286 (c) Notwithstanding the provisions of chapter 54, an agency, as
287 defined in section 4-166, may suspend any requirement established in
288 any regulation adopted by such agency for the paper or facsimile
289 submission of documents or data required to be submitted to such
290 agency by federal or state statute or regulation, or a license, as defined
291 in section 4-166, and require electronic filing of such documents or
292 data or any other information required to be submitted to such agency
293 in writing, in a manner prescribed by the agency. Prior to the
294 establishment of such electronic filing requirements, the agency shall
295 provide at least thirty days' notice on its Internet web site and in the
296 Connecticut Law Journal and include with the notice the agency's
297 instructions for electronic filing. Such instructions shall be maintained
298 on the agency's Internet web site as long as the agency requires
299 electronic filing of such documents and data.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2018</i>	4-68z
Sec. 5	<i>July 1, 2018</i>	4-60s