

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: SB-256

AN ACT CONCERNING DATA GOVERNANCE AND CERTAIN REQUESTS

Title: FOR STATE AGENCY DATA, RECORDS OR FILES.

Vote Date: 3/22/2024

Vote Action: Joint Favorable

PH Date: 3/4/2024

File No.:

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

The legislation aims to update and improve the practices for data governance by permitting the Office of Policy and Management to establish advisory boards for data governance, as well as redefining "executive branch agency", deleting a requirement for an annual report concerning high value data and requiring certain requests for data, records, and files to be made through the agency of origin.

RESPONSE FROM ADMINISTRATION/AGENCY:

Judicial Branch:

Section 4 would eliminate ambiguity by requiring the receiving agency to promptly refer a request to the originating agency, thereby reducing the risk that data that is not publicly available is wrongly made available to the requestor.

Dante Bartolomeo, CT Department of Labor Commissioner:

Supports the bill and offers comments specific to Section 4, specifically request that if the bill is amended before passage, that Section 4 remain as drafted. As currently drafted, Section 4(a) requires requests for data, records or files to be made directly to the originating agency and Section 4(b) provides clarification of the process to be undertaken when the request is submitted to an agency that does not have ownership of the data, records, or files. CTDOL receives data from multiple state agencies in order to perform secure matches for program evaluation and research purposes and believes that the appropriate response to an FOI request would be to refer the requestor to that other agency, which is made clear in section 4.

Deidre Gifford, Office of Health Strategy Executive Director:

OHS supports the proposed changes within the bill, as it would allow for the Office of Policy Management to create advisory boards to assist with data governance as well as ensure that data requests to a state agency from the public are directed to the agency from which the data is originated. This promotes interoperability, data quality, accuracy, and security.

Scott Gaul, Office of Policy Chief Data Officer:

OPM supports. The revision to Section 1 ensures that the Secretary of OPM can rely on the expertise of advisors through creation of advisory boards, Section 2 codifies state data efforts include a full set of executive branch agencies and align with the definitions used for state information systems, and Section 3 provides a modification to remove a redundant reporting requirement but requires OPM to produce an annual report-- which OPM requests to be repealed. Section 4 ensures that requests for records be referred to the originating agency, a process which aligns with national best practices and provides clarity and creates an efficient process to reduce the risk of unintended exposure of sensitive records.

NATURE AND SOURCES OF SUPPORT:

None expressed.

NATURE AND SOURCES OF OPPOSITION:

Dr. Linda Dalessio:

Does not believe granting the agency more power is in the voters' or taxpayers' interests.

GENERAL COMMENTS

Michael Savino, CT Council on FOI President:

Neutral on the bill but provides requests to ensure the legislation does not hinder transparency. First, requests that transparency be kept in mind when the Secretary of OPM creates advisory boards to assist with data governance activities by ensuring the FOI Commission, members of media or other open government advocates have roles on these boards. Supports the language in Section 4 dictating how public agencies should respond if they are not in possession of records sought in an FOI request.

Reported by: Lindsay de Brito

Date: 4/4/24