

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas

As Engrossed: H3/15/17

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 1793

4
5 By: Representatives McCollum, S. Meeks, *Sabin*

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.

Subtitle

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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:

22
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)(A) Provide master data management by facilitating
36 standardization, deduplication, sharing, and integration of critical data



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1 between systems and state agencies.

2 (B) Master data management may include without limitation
3 a shared master citizen record;

4 (2) Establish and promote data architecture management by
5 developing an integrated set of specifications and documents that define the
6 blueprint for managing data resources;

7 (3) Provide data quality management by:

8 (A) Applying data quality management concepts and
9 practices that include without limitation:

10 (i) Policies;

11 (ii) Measurement;

12 (iii) Process improvement; and

13 (iv) Education; and

14 (B) Leveraging data warehouse, business intelligence, and
15 master data management solutions;

16 (4) Provide data governance by:

17 (A) Exercising authority, control, and decision-making
18 over the management of data assets; and

19 (B) Introducing accountability for data asset management
20 through formalized data stewardship;

21 (5) Support open data exchanges based on standardized and
22 published application programming interfaces that:

23 (A) Facilitate standardized access to data within,
24 between, or outside systems or state agencies; and

25 (B) Establish a data catalog of data housed, maintained,
26 and utilized by each state agency;

27 (6) Utilize business intelligence that includes without
28 limitation embedded business intelligence and advanced analytics that
29 maximize the value of data in this state in order to facilitate access to and
30 the analysis of data; and

31 (7) Direct and oversee the Data and Transparency Panel.

32 (c) The Chief Privacy Officer of the Department of Information Systems
33 shall:

34 (1) Oversee, develop, and implement methods to ensure that all
35 state agencies comply with federal and state laws governing the privacy and
36 access to protected data;

1 (2) Assure that the use of technology sustains and does not
2 erode privacy protections relating to the use, collection, and disclosure of
3 personal information;

4 (3) Assure that personal information contained in privacy act
5 systems of records complies with the Privacy Act of 1974, 5 U.S.C. § 552(a);

6 (4) Review regulatory proposals and procedures involving the
7 collection, use, and disclosure of personal information by the federal
8 government, state government, and local government; and

9 (5)(A) Prepare and submit an annual report to the Joint
10 Committee on Advanced Communications and Information Technology concerning
11 activities that affect privacy.

12 (B) Activities that affect privacy may include without
13 limitation complaints of privacy violations, implementation of the Privacy
14 Act of 1974, 5 U.S.C. § 552(a), and internal controls.

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16 25-4-127. Data and Transparency Panel – Creation – Duties.

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

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

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

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

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

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

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

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

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

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

35 (A) The Arkansas Crime Information Center;

36 (B) The Department of Arkansas State Police;

- 1 (C) The Department of Career Education;
2 (D) The Department of Community Correction;
3 (E) The Department of Correction;
4 (F) The Department of Education;
5 (G) The Department of Finance and Administration;
6 (H) The Department of Health;
7 (I) The Department of Higher Education;
8 (J) The Department of Human Services;
9 (K) The Department of Information Systems; and
10 (L) The Department of Labor;
11 (4)(A) The Chief Data Officer of the Department of Information
12 Systems.
13 (B) The Chief Data Officer of the Department of
14 Information Systems shall be the Chair of the Data and Transparency Panel.
15 (C) The members of the panel shall select a vice chair
16 annually; and
17 (5) The Chief Privacy Officer of the Department of Information
18 Systems.
19 (c) The panel shall:
20 (1) Perform a feasibility and cost study on the development of a
21 statewide data warehouse program;
22 (2) Evaluate and identify data to be included in the statewide
23 data warehouse;
24 (3) Determine and recommend procedures necessary for the
25 implementation of a statewide data warehouse;
26 (4) Oversee a statewide data warehouse program implemented in
27 this state;
28 (5) Evaluate and identify data that may be provided to the
29 public in accordance with data standards and specifications developed by the
30 Department of Information Systems; and
31 (6) Provide annual reports to the Joint Committee on Advanced
32 Communications and Information Technology.
33 (d)(1) The panel shall meet at least quarterly in each calendar year
34 at a time and place determined by the panel.
35 (2) Special meetings may be called at the discretion of the
36 chair.

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

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

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

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

/s/McCollum