

SUMMARY ANALYSIS OF AMENDED BILL

Author: Pan & Ting Analyst: Janet Jennings Bill Number: SB 573
 Related Bills: See Prior Analysis Telephone: 845-3495 Amended Date: June 2 and June 23, 2015
 Attorney: Bruce Langston Sponsor _____

SUBJECT:	Statewide Open Data Portal
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SUMMARY

This bill would, under the Government Code, create a centralized data Internet Web site, with the ability to display and export data published from state agencies (Statewide Open Data Portal).

This analysis only addresses the provisions of this bill that impact the department’s programs and operations.

RECOMMENDATION

No position.

SUMMARY OF AMENDMENTS

The June 2, 2015, amendments added language requiring the appointment of the Chief Data Officer to be subject to Senate confirmation, removed specified dates for compliance with the bill’s provisions, added that the Chief Data Officer would identify which state agencies must appoint a data coordinator, and added authorization for agencies to apply for specified funding subject to appropriation. The June 23, 2015, amendments added a coauthor and made a nonsubstantive technical correction. As a result of the amendments, the “This Bill” section has been revised. Additionally, the “Support/Opposition” and “Fiscal Impact” sections have been updated, and the “Economic Impact” is restated for convenience. The remainder of the department’s analysis of the bill as amended May 5, 2015, still applies.

THIS BILL

The bill would create the Statewide Open Data Portal and require that state agencies publish inventory on the portal. The bill would also allow state agencies to post the same information to their own Internet Web site. If the agency utilizes its own Internet Web site, the agency must include a link on its Internet Web site to the statewide open data portal site.

This bill would require the Franchise Tax Board (FTB), as a state agency, to identify and publish data sets.

This bill would provide the following definitions:

- “Agency” means, but is not limited to, a state agency, authority, board, bureau, commission, council, department, division, or office.
- “Data set” generally means any information comprising a collection of information held in electronic form where all or most of the information has been compiled for the purpose of providing the agency with information to provide for any function or service of the agency.

Board Position:	Legislative Director	Date
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The compiled information is to be factual and not a product of analysis or interpretation other than calculation, and is to be presented as data not adapted or otherwise materially altered since it was compiled.

- “Inventory” means a summary listing of all available data sets within an agency. The listing would include, but is not limited to, a descriptive title of the data set as well as a brief informative description of what information may be found within the data set.
- “Open data roadmap” means a strategic plan describing the process by which 100 percent of the data held by an agency will be made publicly available, subject to any state or federal law or regulation relating to privacy. The roadmap would include, but is not limited to, an agency’s data inventory, a concrete timeline for the release of data sets on a statewide or agency basis, and a methodology for compliance with any state or federal law or regulation relating to privacy.
- “Statewide open data portal” means a centralized data Internet Web site, with the ability to display and export data published from state agencies.

This bill would require each agency to do the following on or before:

- August 1, 2016, if identified by the Chief Data Officer, the agency will appoint a data coordinator to be responsible for compliance with this bill’s provisions and may participate in the open data working group headed by the Chief Data Officer. The agency data coordinator could appoint a data steward for each data set the agency will publish.
- October 1, 2016, identify any data set within the agency and transmit the inventory to the Chief Data Officer in the form he or she prescribes.
- November 1, 2016, create a plan for publication of any inventory that may be published.

Additionally, the bill would require any inventory published to comply with all state and federal privacy laws and regulations.

On or before January 1, 2017, in consultation with the Attorney General, the Chief Data Officer would publish a set of guidelines for use by each agency. The guidelines would include definitions and assessments of security, privacy, and legal concerns related to the creation of an inventory and publication of data.

FISCAL IMPACT

If the FTB is identified as an agency that would appoint a data coordinator, staff estimates a cost of approximately \$107,000 in fiscal year 2015/16 and ongoing costs of \$106,000 to comply with the bill’s provisions. The department will pursue a budget change proposal if necessary.

ECONOMIC IMPACT

This bill would not impact the state’s income tax revenue.

SUPPORT/OPPOSITION¹

Support: City of Los Angeles, GROW Holdings, Health Officers Association of California, Milken Institute California Center, Sunlight Foundation, Urban Strategies Council.

Opposition: None on file.

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¹ According to the April 27, 2015, Senate Committee on Governmental Organization bill analysis.