

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: H3/15/17  
**A Bill**

HOUSE BILL 1793

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

### **For An Act To Be Entitled**

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

### **Subtitle**

TO CREATE A PANEL ON DATA TRANSPARENCY;  
AND TO CREATE THE POSITIONS OF CHIEF DATA  
OFFICER AND CHIEF PRIVACY OFFICER WITHIN  
THE DEPARTMENT OF INFORMATION SYSTEMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 25, Chapter 4, is amended to add an additional sections to read as follows:

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

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

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

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

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



between systems and state agencies.

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

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

(3) Provide data quality management by:

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

(i) Policies;

(ii) Measurement;

(iii) Process improvement; and

(iv) Education; and

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

(4) Provide data governance by:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 Arkansas Crime Information Center;

(B) The Department of Arkansas State Police;

- (C) The Department of Career Education;
- (D) The Department of Community Correction;
- (E) The Department of Correction;
- (F) The Department of Education;
- (G) The Department of Finance and Administration;
- (H) The Department of Health;
- (I) The Department of Higher Education;
- (J) The Department of Human Services;
- (K) The Department of Information Systems; and
- (L) 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

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

(c) The panel shall:

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

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

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

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

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

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

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

(2) Special meetings may be called at the discretion of the 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*