



Substitute House Bill No. 5517

Public Act No. 18-175

AN ACT CONCERNING EXECUTIVE BRANCH AGENCY DATA MANAGEMENT AND PROCESSES, THE TRANSMITTAL OF TOWN PROPERTY ASSESSMENT INFORMATION AND THE SUSPENSION OF CERTAIN REGULATORY REQUIREMENTS.

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

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

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

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

(3) "High value data" means any data that the department head determines (A) is critical to the operation of an executive branch agency; (B) can increase executive branch agency accountability and

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responsiveness; (C) can improve public knowledge of the executive branch agency and its operations; (D) can further the core mission of the executive branch agency; (E) can create economic opportunity; (F) is frequently requested by the public; (G) responds to a need and demand as identified by the agency through public consultation; or (H) is used to satisfy any legislative or other reporting requirements.

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

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

(6) "Protected data" means any data the public disclosure of which would (A) violate federal or state laws or regulations; (B) endanger the public health, safety or welfare; (C) hinder the operation of the federal, state or municipal government, including criminal and civil investigations; or (D) impose an undue financial, operational or administrative burden on the executive branch agency. "Protected data" includes any records not required to be disclosed pursuant to subsection (b) of section 1-210 of the general statutes.

Sec. 2. (NEW) (*Effective from passage*) (a) The Secretary of the Office

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of Policy and Management shall designate an employee of the Office of Policy and Management to serve as Chief Data Officer. The Chief Data Officer shall be responsible for (1) directing executive branch agencies on the use and management of data to enhance the efficiency and effectiveness of state programs and policies, (2) facilitating the sharing and use of executive branch agency data (A) between executive branch agencies, and (B) with the public, (3) coordinating data analytics and transparency master planning for executive branch agencies, and (4) creating the state data plan in accordance with subsection (c) of this section. The Chief Data Officer shall carry out the responsibilities set forth in subdivisions (1) to (3), inclusive, of this subsection in accordance with the state data plan created pursuant to subsection (c) of this section.

(b) Each executive branch agency shall designate an employee of the agency to serve as the agency data officer, who shall be responsible for implementing the provisions of this section and who shall serve as the main contact person for inquiries, requests or concerns regarding access to the data of such agency. The agency data officer, in consultation with the Chief Data Officer and the executive agency head, shall establish procedures to ensure that requests for data that the agency receives are complied with in an appropriate and prompt manner.

(c) Not later than December 31, 2018, and every two years thereafter, the Chief Data Officer, in consultation with the agency data officers and executive branch agency heads, shall create a state data plan. The state data plan shall (1) establish management and data analysis standards across all executive branch agencies, (2) include specific, achievable goals within the two years following adoption of such plan, as well as longer term goals, (3) make recommendations to enhance standardization and integration of data systems and data management practices across all executive branch agencies, (4) provide

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a timeline for a review of any state or federal legal concerns or other obstacles to the internal sharing of data among agencies, including security and privacy concerns, and (5) set goals for improving the online repository established pursuant to subsection (i) of this section. Each state data plan shall provide for a procedure for each agency head to report to the Chief Data Officer regarding the agency's progress toward achieving the plan's goals. Such plan may make recommendations concerning data management for the legislative or judicial branch agencies, but such recommendations shall not be binding on such agencies.

(d) The Chief Data Officer shall submit a preliminary draft of such plan to the Connecticut Data Analysis Technology Advisory Board established under section 3 of this act not later than November 1, 2018, and every two years thereafter. Said board shall hold a public hearing on such draft and shall submit any suggested revisions to the Chief Data Officer not later than thirty days after receipt of such draft.

(e) After the public hearing and if applicable, receiving any recommended revisions from the board, the Chief Data Officer shall finalize such plan and submit the final plan to the board. The Chief Data Officer shall send a copy of the final state data plan to all agency data officers and shall post such plan on the Internet web site of the Office of Policy and Management.

(f) Information technology-related actions and initiatives of all executive branch agencies, including, but not limited to, the acquisition of hardware and software and the development of software, shall be consistent with the final state data plan.

(g) On or before December 31, 2018, and not less than annually thereafter, each executive branch agency shall conduct an inventory of any high value data that is collected or possessed by the agency. Such inventory shall be in a form prescribed by the Chief Data Officer. In

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conducting such inventory, data shall be presumed to be public data unless otherwise classified by federal or state law or regulation. On or before December 31, 2018, and not less than annually thereafter, each executive branch agency shall submit such inventory to the Chief Data Officer and the Connecticut Data Analysis Technology Advisory Board.

(h) Each executive branch agency shall develop an open data access plan. Such plan shall be in a form prescribed by the Office of Policy and Management and shall detail the agency's plan to publish, as open data, any public data that the agency has identified and any protected data that can be made public through aggregation, redaction of individually identifiable information or other means sufficient to satisfy applicable state or federal law or regulation.

(i) The Office of Policy and Management shall operate and maintain an online repository for the publication of open data by executive branch agencies.

(j) Any state agency that is not an executive branch agency and any quasi-public agency or municipality may voluntarily opt to comply with the provisions of this section and, upon submission of written notice of the agency's or municipality's decision to the Office of Policy and Management, the provisions of this section shall apply to such agency or municipality. Any state or quasi-public agency or any municipality that voluntarily opts to comply with the provisions of this section may opt out of complying with this section upon submission of written notice of the agency's or municipality's decision to the Office of Policy and Management. The Office of Policy and Management shall create and maintain a list of all agencies subject to the provisions of this section, including those agencies and municipalities that have voluntarily opted to comply, and shall publish such list on the office's Internet web site and update such list as necessary.

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

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

(c) All initial appointments to the board shall be made not later than July 1, 2018. The terms of the appointed members shall be coterminous with the terms of the appointing authority for each member. Any vacancy shall be filled by the appointing authority. Any vacancy occurring other than by expiration of term shall be filled for the balance of the unexpired term. A member of the board may serve more than one term. The chairperson shall schedule the first meeting of the board, which shall be held not later than August 1, 2018.

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

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(e) The board shall have the following powers and duties: (1) To advise the executive, legislative and judicial branches of government and municipalities concerning data policy, including, but not limited to, best practices in the public, private and academic sectors for data analysis, management, storage, security, privacy and visualization and the use of data to grow the economy; (2) to advise the Office of Policy and Management regarding the online repository established under section 2 of this act; (3) to issue reports and recommendations in accordance with section 11-4a of the general statutes; (4) upon the request of at least two members of the board, to request any agency data officer or agency head to appear before the board to answer questions; (5) to request from any executive department, board, commission or other agency of the state such assistance and data as necessary and available to carry out the purposes of this section; (6) to make recommendations to the legislative leaders and the directors of the offices of Fiscal Analysis and Legislative Research regarding data analysis skills and related expertise that the leaders and said offices may seek to cultivate among their staff through training or as a consideration when hiring staff; and (7) to establish bylaws to govern its procedures.

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

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

The Office of Policy and Management, within available appropriations, shall [enter into an agreement for consultant services to apply LEAN practices and principles to the permitting and enforcement processes of the Departments of Energy and Environmental Protection, Economic and Community Development, Administrative Services and Transportation that are most frequently

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utilized by business entities. Such agreement shall also require the consultant to apply LEAN practices and principles to the licensure procedures for commercial bus drivers that are currently performed by the Departments of Consumer Protection, Emergency Services and Public Protection, and Children and Families. Such consultant shall develop recommendations for the implementation of a prepermitting system for commercial bus drivers that enables businesses to utilize commercial bus drivers who await the applicable licensing authority's performance of a criminal background check] establish and oversee a state-wide process improvement initiative, to assist executive branch agencies, as defined in section 1 of this act, with business process analysis for purposes of (1) streamlining processes, (2) optimizing service delivery through information technology, (3) eliminating unnecessary work, (4) establishing standardized work flows, and (5) prioritizing available resources to promote economic growth, improve services and increase workforce productivity. The Secretary of the Office of Policy and Management shall establish a steering committee to support such initiative. The secretary, or the secretary's designee, shall be the chairperson of such committee.

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

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

(b) Notwithstanding the provisions of chapter 54, an agency, as defined in section 4-166, may suspend any requirements for paper filing or service of documents requirements contained in any regulation adopted by such agency pursuant to subdivision (1) of subsection (a) of section 4-167 and may establish an electronic filing system for formal and informal agency proceedings. Such agency,

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before establishing such a system, shall give at least thirty days' notice by posting on its Internet web site and publishing in the Connecticut Law Journal a notice of its intended action and the instructions for the use of such system. [Any agency establishing such a system shall grant a request from a person, as defined in section 4-166, for an exemption from any electronic filing requirements due to a hardship communicated in writing to the agency, including, but not limited to, a lack of access to a device capable of electronic filing or the incompatibility of a specific filing with the electronic filing system.]

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

(d) Any agency establishing an electronic filing system in accordance with subsection (b) of this section or requiring the electronic filing of documents or data as described in subsection (c) of this section shall grant a request from a person, as defined in section 4-166, for an exemption from any such electronic filing requirements due to a hardship communicated in writing to the agency, including, but not limited to, a lack of access to a device capable of electronic filing or the incompatibility of a specific filing with the agency's electronic filing

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system.

Sec. 6. (NEW) (*Effective from passage*) (a) As used in this section:

(1) "Digital parcel file" means a computer file or files containing a graphic vector representation of the boundary information originally depicted and maintained on a town assessor's maps, including, but not limited to, fee ownership, public and private rights of way, and easements, that are typically created in and maintained using a geographic information system or computer aided design software;

(2) "Assessor database" means the database of property assessment information maintained by the town assessor; it is also referred to as the tax list, property list, Computer Aided Mass Appraisal system, or Computer Aided Mass Appraisal database; and

(3) "Property" means a record in an assessor database.

(b) On or before May 1, 2019, and not less than annually thereafter, each town that possesses or contracts for services for the creation or maintenance of a digital parcel file shall transmit such file to the regional council of governments of which it is a member. If a town is not a member of a council of governments, such file shall be transmitted to the Secretary of the Office of Policy and Management. The digital parcel file shall include, but need not be limited to: (1) Any information from the assessor database that (A) uniquely identifies each property in the digital parcel file, (B) identifies the size of each property, (C) identifies the address of each property, (D) identifies the value of the land, buildings and other improvements for each property, and (E) identifies the year in which buildings were constructed for each property; and (2) any other information deemed necessary by the applicable regional council of governments.

(c) On or before July 1, 2019, and annually thereafter, each regional council of governments shall submit a report to the Secretary of the

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Office of Policy and Management and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to planning and development, that lists each town that (1) has failed to provide its digital parcel file, and (2) does not possess a digital parcel file.

Sec. 7. Section 1-84 of the 2018 supplement to the general statutes is amended by adding subsection (s) as follows (*Effective from passage*):

(NEW) (s) Notwithstanding the provisions of this section or any other provision of this part, a state employee who is employed at a constituent unit of the state system of higher education and a member of the immediate family of such state employee may be employed in the same department or division of such constituent unit, provided the constituent unit has determined that procedures have been implemented to ensure that any final decisions impacting the financial interests of either such state employee, including decisions to hire, promote, increase the compensation of or renew the employment of such state employee, are made by another state employee who is not a member of the immediate family of such state employee.

Approved June 7, 2018