# BILL ANALYSIS

## BACKGROUND AND PURPOSE

The state has promoted online transparency at the local level to great success.  For instance, the Comptroller's Leadership Circle provides incentives for local governments and school districts to post important financial data online.  State agencies should follow that lead by engaging the public through increased transparency and open government.

This bill would require state agencies to post high-value data sets on a generally accessible agency website.  High value data sets include, but are not limited to, data that is critical to the financial and programmatic function of state agencies.

The website must use the uniform resource locator (URL) suffix "data" and all data sets must have a conspicuously displayed link on either the agency's Internet website home page or another intuitive location accessible from the agency's Internet website home page.

Data must be accessible in an open standard, raw data format.  Open standard data is free to the public for download, analysis, and use.

The bill requires state agencies to post data in an open standard, raw data format.  Open standard data is free to the public for download, analysis, and use.  The bill requires state agencies to post data sets online only if they can do so using existing agency resources, by entering into a contract in which the contractor will post the data set online at no additional cost, or by accepting a grant for the purpose of posting the data.  This bill maintain confidentiality and security protections contained in current statute.

C.S.S.B. 701 amends current law relating to high-value data sets of state agencies posted on the Internet.

## RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

## ANALYSIS

SECTION 1.  Amends Subchapter F, Chapter 2054, Government Code, by adding Section 2054.1265, as follows:

> Sec. 2054.1265.  POSTING HIGH-VALUE DATA SETS ON INTERNET.  (a) Defines, in this section, "high-value data set" and "state agency."

>> (b) Requires each state agency to post on a generally accessible Internet website maintained by or for the agency each high-value data set created or maintained by the agency, if the agency:

(1) determines that, using existing resources, the agency can post the data set on the Internet website at no additional cost to the state;

(2) enters into a contract advantageous to the state under which the contractor posts the data set on the Internet website at no additional cost to the state; or

(3) receives a gift or grant specifically for the purpose of posting one or more of the agency's high-value data sets on the Internet website.

(c) Requires a high-value data set posted by a state agency under this section to be raw data in open standard format that allows the public to search, extract, organize, and analyze the information.

(d) Requires the web page on which a state agency's high-value data set is posted to use the agency's Internet website home page and include the uniform resource locator suffix "data" and must have a conspicuously displayed link on either the agency's Internet website home page or another intuitive location accessible from the agency's Internet website home page.

(e) Authorizes a state agency to accept a gift or grant for the purpose of posting one or more of the agency's high-value data sets on an Internet website.

SECTION 2.  Effective date: September 1, 2011.

**EFFECTIVE DATE**

September 1, 2011.

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute differs from the original by providing that the web page on which a high-value data set is posted must have a conspicuously displayed link on either the agency's Internet website home page or another intuitive location accessible from the agency's Internet website home page rather than be not more than two mouse clicks from the agency's Internet website home page.