A BILL FOR AN ACT

RELATING TO OPEN DATA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 27, Hawaii Revised Statutes, is amended by adding four new sections to part VII to be appropriately designated and to read as follows:

"§27- Agency data set availability; review; updates.

(a) Notwithstanding any other law to the contrary, each agency shall make reasonable efforts to make all data sets under the agency's control open and available to the public without charge.

(b) Data sets of all agencies shall be accessible on a website determined by the director of the office of information management and technology.

(c) Each agency shall conduct quarterly reviews of their progress on providing access to state data sets to the public.

(d) Each agency shall update the data sets automatically and as often as is necessary to preserve the integrity and usefulness of the data sets to the extent that the agency regularly maintains or updates the data sets.

(e) For purpose of this part:
"Agency" means any department, board, commission, or agency of the executive branch of the State.

"Dataset" means a collection of data records deemed public records under chapter 92F.

§27—State liability for datasets. Data sets shall be available for informational purposes only. The State shall not be liable for any deficiencies in the completeness or accuracy of any data set.

§27—Dataset licensing. The chief information officer may make data sets available pursuant to a license including granting any user the right to copy, distribute, display, or create derivative works at no cost and with a minimum level of conditions placed on the use.

§27—Dataset rules. (a) The director of the office of information management and technology, in consultation with the office of information practices, shall adopt rules in accordance with chapter 91 to make data sets available to the public, including determining which data sets are appropriate for public disclosure pursuant to chapter 92F. In making this determination, the chief information officer, in consultation with the office of information practices shall balance the benefits of publicly available data sets with the need to
protect information that is proprietary, confidential, or is not appropriate for public disclosure.

The rules shall include the following:

(1) Technical requirements of data sets for the purpose of making data sets available to the greatest number of users and for the greatest number of applications, including whenever practicable, the use of machine readable, non-proprietary technical standards for web publishing and e-government; and

(2) Guidelines for agencies to follow in developing plans for making data sets available, including an accounting of data sets under the control of the agency and rules for including data set requirements in applicable state contracts."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.
Report Title:
Open Data; Data Set; Office of Information Management and Technology

Description:
Requires executive departments, boards, commissions, and agencies to make data available to the public. Absolves State for liability for deficiencies or incomplete data. Requires the CIO to enact rules to address making data sets available to the public.

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