

**SENATE . . . . . No. 34**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Dylan A. Fernandes***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing the Massachusetts open data standard.

PETITION OF:

NAME:

*Dylan A. Fernandes*

DISTRICT/ADDRESS:

*Plymouth and Barnstable*

**SENATE . . . . . No. 34**

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By Mr. Fernandes, a petition (accompanied by bill, Senate, No. 34) of Dylan A. Fernandes for legislation to establish a Massachusetts Open Data Standard for state and municipal agencies to make public data available. Advanced Information Technology, the Internet and Cybersecurity.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 62 OF 2023-2024.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
—————

An Act establishing the Massachusetts open data standard.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. The General Laws are hereby amended by inserting after chapter 66A the  
2 following chapter:-

3           CHAPTER 66B. MASSACHUSETTS OPEN DATA STANDARD

4           Section 1. As used in this chapter, the following words shall have the following  
5 meanings:

6           “Municipal agency”, any department or office of a city or town government and any  
7 council, division, board, bureau, commission, institution, tribunal or other instrumentality thereof  
8 or thereunder.

9           “Open data”, public data or information made readily available online, utilizing best  
10 practice structures and formats when possible.

11           “Open data portal”, an Internet site established and maintained by or on behalf of the  
12 commonwealth.

13           “Public agency”, any state agency or municipal agency.

14           “Public data”, all data that is collected by a public agency in pursuit of that agency’s  
15 responsibilities that are otherwise subject to disclosure under section 7 of chapter 4 or chapter 66  
16 of the General Laws.

17           “State agency”, an agency of the commonwealth.

18           “Strategic plan”, a state agency’s evaluation, over a period of up to five years, of its  
19 strategy and direction, including, but not limited to, a framework for decision-making with  
20 respect to resource allocation to achieve defined goals.

21           Section 2. (a) The chief data officer of the commonwealth, established pursuant to  
22 section 4A of chapter 7D of the General Laws, shall create an inventory of all available public  
23 data in the state, held by any state agency or municipal agency, and establish an open data portal  
24 to achieve the purposes of this chapter. The chief data officer may appoint at least two  
25 individuals with expertise in open data information technology to serve within the Executive  
26 Office of Technology Services and Security established pursuant to chapter 64 of the General  
27 Laws.

28 (b) The chief data officer shall adhere to the following principles: (1) adherence to user-  
29 centric design; (2) commitment to agile management; (3) support for open data platforms and  
30 data standardization; and (4) commitment to the privacy of personal identifying information.

31 Section 3. (a) The chief data officer shall establish the Massachusetts Open Data Standard  
32 for agencies to make public data available on an open data portal and shall consult with subject  
33 matter experts from agencies, organizations specializing in technology and innovation, academia,  
34 and other pertinent stakeholders according to the chief data officer. The goal of the  
35 Massachusetts Open Data Standard is to: (1) increase public agency accountability and  
36 responsiveness; (2) improve public knowledge of agencies and their operations; (3) further the  
37 mission of agencies; (4) create economic opportunity; (5) respond to an online demand for the  
38 public data; and (6) respond to a need or demand identified by public outreach.

39 (b) The Massachusetts Open Data Standard shall include, but not be limited to, the  
40 following: (1) requirements to update public data on an open data portal as often as necessary to  
41 preserve the integrity and usefulness of public data to the extent a public agency regularly  
42 maintains or updates public data; (2) the ability for members of the public to electronically  
43 search public data using external information technology; (3) the availability of public data  
44 without registration or license requirements, to the extent possible; (4) a format that permits  
45 public notification of update where possible; (5) a format that permits the public to access data  
46 through application programming interfaces; and (6) the standardization of public data in a  
47 digital format that facilitates data analysis across data sets.

48 (c) The chief data officer may establish and maintain an online forum located on the open  
49 data portal to solicit feedback from the public and to encourage discussion of the Massachusetts  
50 Open Data Standard and public data available.

51 (d) The chief data officer may establish guidelines in order to implement the  
52 Massachusetts Open Data Standard.

53 (e) The chief data officer may work with municipal agencies to assist them to adopt said  
54 standard and share relevant public data.

55 Section 4. (a) The chief data officer shall prepare and publish a technical standards  
56 manual for publishing public data through the open data portal by agencies for the purpose of  
57 making public data available to the greatest number of users and for the greatest number of  
58 applications and shall, whenever practicable, use open standards for open data publishing in a  
59 digital format that can be easily analyzed and aggregated. The manual and related policies may  
60 be updated as necessary. The chief data officer may utilize a currently existing open data portal.

61 (b) The chief data officer shall consult with organizations specializing in technology and  
62 innovation, the agencies, academic institutions, and other stakeholders in the development of  
63 technical and open standards.

64 (c) The chief data officer shall create standards to ensure data security.

65 Section 5. (a) A public agency that releases public data shall do so in compliance with  
66 this chapter and on the designated open data portal that is maintained by, or on behalf of, the  
67 commonwealth for the purposes of this chapter. If a public agency cannot make all public data  
68 available on the open data portal, the agency shall report to the chief data officer: (1) the public

69 data it is unable to be made available; (2) the reasons why it is not possible to make said public  
70 data available; and (3) the date by which the public agency expects the public data to be made  
71 available on the open data portal. This section shall not affect the obligation of a public agency to  
72 provide notice or information to the public under chapter 4 section 7 or chapter 66 of the General  
73 Laws.

74 (b) Annually on December 1, each state agency shall submit a strategic plan consistent  
75 with this chapter to the chief data officer and shall make the plan available to the public on the  
76 designated open data portal. Each state agency shall collaborate with the chief data officer in  
77 formulating its plans. The strategic plan shall include, but not be limited to, the following: (1) a  
78 description of public data under the control of the state agency; and (2) an explanation of how  
79 said state agency's plans, budgets, capital expenditures, contracts, and other related documents  
80 and information, for each information technology and telecommunications project it proposes to  
81 undertake, can be utilized to support the Massachusetts Open Data Standard and related savings  
82 and efficiencies.

83 Section 6. Public data available on the open data portal are provided for informational  
84 purposes only. The commonwealth does not warrant, nor is the commonwealth liable for, the  
85 completeness, accuracy, content, or fitness for any particular purpose or use of any public data  
86 made available on the open data portal, nor are any warranties to be implied or inferred with  
87 respect to the public data furnished pursuant to this chapter. All public data shall be entirely in  
88 the public domain for purposes of applicable copyright laws.

89 SECTION 2. This act shall take effect on July 1, 2025.