

SENATE No.

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.

[Pin Slip]

[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.