



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1060/P4
MPG:emw/cjs/skw

DOA:.....Sherwin, BB0375 - DOA Enterprise Data Sharing

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

GENERAL STATE GOVERNMENT

Office of Digital Transformation; enterprise data management and analytics

This bill creates the Office of Digital Transformation in DOA. The office is under the direction and supervision of a director who is appointed by and serves at the pleasure of the secretary of administration.

The bill authorizes the office to establish an enterprise data management and analytics program to gather, combine, and analyze data provided by state agencies to evaluate the outcomes of state-funded programs; develop and implement policies and strategies to promote the effective, efficient, and best use of state resources; and identify, prevent, or eliminate the fraudulent use of state funds, resources, and programs. At the office's request, a state agency must provide data to the office for use under the program.

The bill includes measures to protect the confidentiality of data provided to the office under the program and requires the office, in consultation with other agencies, to develop protocols and security measures to ensure the security and proper use of data shared under the program.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.105 (38s) of the statutes is created to read:

15.105 (38s) OFFICE OF DIGITAL TRANSFORMATION. There is created in the department of administration an office of digital transformation. The office shall be under the direction and supervision of a director who shall be appointed by the secretary of administration to serve at his or her pleasure.

SECTION 2. 16.978 of the statutes is created to read:

16.978 Enterprise data management and analytics. (1) In this section, “office” means the office of digital transformation.

(2) The office may establish an enterprise data management and analytics program to gather, combine, and analyze data provided by one or more agencies to do any of the following:

(a) Evaluate the outcomes of state-funded programs.

(b) Develop and implement policies and strategies that promote the effective, efficient, and best use of state resources.

(c) Identify, prevent, or eliminate the fraudulent use of state funds, resources, and programs.

(3) (a) At the office’s request, an agency shall provide data for use under the program. Each agency that provides data under the program shall comply with the data-sharing protocols established under sub. (4).

(b) An agency's provision of data to the office under par. (a) is considered a permitted use of the data for all purposes and may not be construed as a violation of law.

(c) An agency that provides data to the office under par. (a) remains the custodian of the data while it is in the custody of the office, and access to the data by that agency or any other person shall be determined by that agency in accordance with applicable law.

(d) 1. All confidential data an agency provides to the office under par. (a) remains confidential while in the custody of the office, and the same requirements that apply to the agency and its agents or employees with respect to the confidentiality of the data apply equally to the office and its agents or employees, including penalties for breach of confidentiality.

2. The office shall compare the results of any data analysis conducted with respect to confidential data against the confidentiality laws applicable to the source data to determine if the results retain any attributes of the source data that bring the results within the scope of any confidentiality requirement that applies to the source data. If so, the results are subject to all applicable confidentiality requirements, and, in the event of a conflict between applicable confidentiality requirements, the most stringent of those requirements shall control.

(4) In consultation with other agencies, the office shall develop a data-sharing protocol and a security plan for the program. The security plan shall establish how the data is to be protected. The data-sharing protocol shall include all of the following:

(a) How participating agencies may use confidential data in accordance with confidentiality laws applicable to the data provided.

(b) Who has authority to access data gathered under the program.

(c) How participating agencies shall make, verify, and retain corrections to personally identifying information gathered under the program.

SECTION 3. 20.923 (4) (d) 3. of the statutes is created to read:

20.923 (4) (d) 3. Administration, department of; office of digital transformation: director.

SECTION 4. 230.08 (2) (yg) of the statutes is created to read:

230.08 (2) (yg) The director of the office of digital transformation in the department of administration.

(END)