



*Gregory J. Swain, County Attorney*

## MEMORANDUM

**To:** Members, Anne Arundel County Council

**From:** Lori L. Blair Klasmeier, Deputy County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** March 21, 2022

**Subject:** Bill No. 30-22: General Provisions – Anne Arundel County Open Data Act

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### Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 30-22.

**Purpose.** The purpose of the Bill is to create an Open Data Act for the County that results in public data sets from County departments being available on a single web portal accessible by the public.

**Summary.** Section 1 of the Bill adds **Title 11 to Article 1 (“General Provisions”)** of the Code.

**New § 1-11-101** defines certain terms used in the Title.

**New § 1-11-102** requires the Chief Administrative Officer to prepare an Open Data Implementation Plan within one year of the effective date of the ordinance. The Plan must: describe the public data sets under the control of each County agency; prioritize the order in which public data sets should be included on the single web portal based on certain specified criteria; create a timeline for the inclusion of the public data sets on the single web portal; provide when and how a department can change or terminate collection of data and removal from the single web portal; designate a contact in each department for data management; prescribe frequency of updates of the data; and address measures to maintain necessary bandwidth for the single web portal.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

**New § 1-11-103** describes the availability of the public data sets, including when they should be available, formatting of the data sets, updating the data, and accessibility of the data.

**New § 1-11-104** discusses the administration of the website, including public input on open data policies and data sets.

**New § 1-11-105** sets forth the open data policy, including that the data is provided for informational purposes only, that the County does not warrant the accuracy or content of the information, that the County is not liable for deficiencies in the data or in an application using the data, and that the Open Data Implementation Plan does not create a private right of action for enforcement or County liability for any failure to comply with the Plan or the Title.

**New § 1-11-106** requires the publication of a technical standards manual for the publication of the public data sets on the single web portal, and specifies the matters to be addressed by the manual.

**New § 1-11-107** requires the Chief Administrative Officer to submit annual reports to the County Executive and the County Council on the progress under the Open Data Implementation Plan until all public data sets are available on the single web portal.

**New § 1-11-108** allows – but does not require – the legislative branch to have public data sets included in the Open Data Implementation Plan and to have data included in the Plan posted on the single web portal.

**Section 2** of the bill provides that it will take effect 45 days from the date it becomes law.

If there are any questions, please let me know.

cc: Honorable Stuart Pittman, County Executive  
Kai Boggess-deBruin, Chief of Staff  
Matthew Power, Chief Administrative Officer  
Peter Baron, Legislative Liaison  
Chris Trumbauer, Budget Officer  
Elizabeth Funsch, ArundelStat Manager