



THE PRINCE GEORGE'S COUNTY GOVERNMENT


Office of Audits and Investigations

January 11, 2023

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Malcolm Moody - *MM*
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-010-2023 Open Data

CB-010-2023 (*Proposed and presented by:* Council Member Burroughs)

Assigned to the Government Operations Fiscal Policy Committee (GOFP)

AN ACT CONCERNING PRINCE GEORGE'S COUNTY OPEN DATA for the purpose of requiring the County to make certain public data sets available on a single web portal on the internet; requiring the County to develop technical standards for publishing public data sets; requiring the Chief Administrative Officer (CAO) to develop an Open Data Implementation Plan (ODIP); and generally relating to general provisions.

Fiscal Summary

Direct Impact

Expenditures: Expenditures in the form of costs to implement software and technology supports. Additional expenditures cannot be determined until Implementation Plan is developed.

Revenue: None

Indirect Impact

None Likely.

Legislative Summary:

CB-010-2023, proposed and sponsored by Council Member Burroughs, was presented on December 12, 2022, and was referred to the Government Operations Fiscal Policy Committee (GOFP). The Bill would require certain public data sets to be made available on a single web portal on the internet, require the County to develop technical standards for publishing public data sets, require the Chief Administrative Officer (CAO) to develop an Open Data Implementation Plan, and generally relate to general provisions.

Current Law/Background:

By CB-019-2011,¹ the Council added §10-289² to the Code, “Searchable spending data,” which requires the County to develop and operate a website that will list any person receiving an aggregate payment of \$25,000 or more from the County in any fiscal year and guidelines for public access to the searchable website. The searchable website allows the user to search data beginning in Fiscal Year 2012 and each fiscal year thereafter. These datasets are available as part of the existing Data Prince George’s website.³ Only 20 of the 81 datasets on the existing website have been updated since 2017.

The current Prince George’s County Code, under Subtitle 2. Administration, of the County Code, does not include any guidelines or mandates for making public data sets available and the role of the CAO in developing an Open Data Implementation Plan. The bill would be the first in expanding these requirements within Subtitle 2 of the Code, and contemplates broader and more up-to-date data access than is currently provided.

Relevant similar Legislation/Initiatives:

The Montgomery County Council enacted Bill 23-12⁴ on December 4th, 2012, which required that the County make certain public data sets (PDS) available on a single web portal on line, the Department of Technology Services to develop a technical standards manual for publishing public data sets, the County to develop an Open Data Implementation Plan, the County to include on the single web portal a website that includes certain information on requests submitted to the County under the Maryland Public Information Act (MPIA) and the County's response to that request, require the CAO to report to the MCC on the Executive Branch’s responses to the MPIA, and generally amend County law regarding administration.

¹ [CB-019-2011](#)

² [Prince George’s County Code §10-289](#)

³ [Data Prince George’s, Spending Information](#)

⁴ Montgomery County Council – [Reference No. Bill 23-12](#)

The Howard County Council enacted CB-32-2014⁵ on July 14th 2014, which requires certain County documents and other data be made searchable, require County units to compile a certain inventory and publish certain items to the internet and develop a portal on the County's website that will allow certain documents and data to be searched for; providing for certain advisory bodies; requiring the Director of the Department of Technology and Communication Services to collect certain information and make certain recommendations; and generally relating to data transparency in the County.

Also, the Anne Arundel County Council enacted Bill No.30-22⁶ which makes certain public data sets available on a single web portal; requires that the County develop a technical standards manual for publishing public data sets; requires the Chief Administrative Officer to develop an Open Data Implementation Plan; and generally relating to general provisions. The Anne Arundel County legislation closely resembles the bill being proposed and is the County that has most recently enacted legislation concerning Open Data. Frederick⁷, Harford⁸, Baltimore County⁹, and Baltimore City¹⁰ have their own open data sites, which have been created due to initiatives from the counties' respective IT agencies. The county sites mentioned are powered by Geographic Information System (GIS) and/or Microsoft Power BI to illustrate stories of their respective jurisdictions.

Resource Personnel:

- Brandon Cooper, Chief of Staff, District 8

Discussion/Policy Analysis:

Provisions of CB-010-2023:

The proposed Bill would require, within a year of its effective date, the CAO to prepare an open data implementation plan, and the County to make available certain public data sets on a single web portal. Under this Bill the public data set would include any data deemed eligible by the Open Data Implementation Plan, which will be developed by the CAO. The Open Data Implementation Plan will include:

- Summaries of the public data sets under the control of County agencies
- Determination of which public data sets should be published and when
 - Factors in Consideration:
 - Can public data set increase agency accountability and responsiveness?
 - Will public knowledge of an agency and its operations be improved?

⁵ Howard County Council – [CB-32-2014](#)

⁶ Anne Arundel County Council – [Bill 30-22](#)

⁷ [Frederick County Data Site](#)

⁸ [Harford County Data Site](#)

⁹ [Baltimore County Data Site](#)

¹⁰ [Baltimore City Data Site](#)

- Will the mission of the agency be furthered?
- Creation of economic opportunity
- Responds to public input
- A timeline of when public data sets will be included on the web portal
- Information on when and how an agency can change or terminate data or remove it from the web portal
- Assign an employee in each agency that serves as a contact for the data sets and address staffing issues related to the management of public data sets
- Detail the frequency of updates for public data sets

In addition to requiring the development and implementation of the Plan, the Bill sets forth an Open Data Policy (§2-533), requires the County to publish a technical standards manual for the publication of public data sets within 180 days of its effective date (§2-534), and requires an annual implementation plan report beginning January 1, 2024 (§2-535). Finally, the Bill authorizes the legislative branch to provide its public data sets to the CAO and post its public data sets to the same web portal used by the executive branch (§2-536).

Open Government Data:

In recent years governments have aimed to make data more accessible to the public and public/private sector organizations. The OPEN Government Data Act¹¹, which was passed in 2018, requires that federal agencies publish their information online as open data. The agencies would use standardized, machine-readable data formats, with the metadata included in the Data.gov catalog¹². In 2014 the State of Maryland signed into law Senate Bill 644¹³¹⁴ which establishes a Council on Open Data that is made up of 37 (thirty-seven) government, academic, and private sector leaders in Maryland. The group is required to meet at least twice each year, make recommendations to the Maryland's legislature, and can establish work groups. There is also a requirement that any open data is released to the public in multiple machine-readable formats. The current Maryland Open Data portal¹⁵ showcases data covering information on the environment, crime, transportation, and other areas. Both these open data initiatives are aimed at emphasizing stated goals of increasing government transparency and data sharing with the public.

Open Government Data (OGD) Initiatives have also been enacted in several cities across the country and countries¹⁶. Many times, the focus of these initiatives has been to increase information access to the public, but the examination of previous initiatives have demonstrated that the PDS is used primarily by local government staff¹⁷. This issue emerges due to digital divides that leads to civic technologists, university affiliates, non-profit organizations, and journalists as potential users of PDS. There are methods being developed to increase public engagement with the data sets,

¹¹ [H.R.4174 - Foundations for Evidence-Based Policymaking Act of 2018](#)

¹² [Data.gov - Catalog](#)

¹³ [Senate Bill 644](#)

¹⁴ [Senate Bill 644 - Fiscal and Policy Note](#)

¹⁵ [Maryland Open Data Portal](#)

¹⁶ [Open Data Sites](#)

¹⁷ 4.1.1. Key user groups – [Paragraph 1. Sentence 1](#)

which includes conducting public workshops¹⁸ that seek to train the public to interact with the data sets. The goal of the workshop was to help non-technical residents not only understand how data sets are being presented but allow interactions with their elected representatives. Outreach can also take place to build the technical capacity of residents, which can have added importance due to the lack of diversity present in the civic technology space.

Surrounding Jurisdictions:

The chart below displays the different Open Data sites, legislation, and/or initiatives established by surrounding counties:

Jurisdiction	Open Data Site	Legislation	Initiative (Yes/No)	Notes
Prince George's County	Yes	CB-010-2023 CB-019-2011	No	Existing law more narrow than others.
Montgomery County	Yes	Bill 23-12	No	Legislation enacted in 2012
Frederick County	Yes		Yes	
Howard County	Yes	CB 32-2014	No	Legislation was enacted in 2014
Harford County	Yes		Yes	
Anne Arundel County	Yes	Bill 30-22	No	Legislation enacted in 2022. Bill also required Administration to report to County Council about implementation plan progress.
Baltimore County	Yes		Yes	
Baltimore City	Yes		Yes	

Potential Implementation Issues:

With this information it may be appropriate for the Council’s consideration of CB-010-2023 to discuss how the County might:

- (1) increase public use of the data sets?
- (2) make the data easy to navigate for the public?
- (3) ensure that data will be regularly updated?

¹⁸ [Data 101 – Buffalo, NY](#)

Fiscal Impact:

- *Direct Impact*

Enactment of CB-010-2022 will have an adverse fiscal impact on the County in the form of additional expenditures related to the development and execution of the Open Data Implementation Plan.

The precise fiscal impact of this legislation will be dependent on the requirements developed by the Open Data Implementation Plan. The application of the Plan will likely result in additional costs due to software and information technology supports, however an exact estimated cost cannot be determined until a Plan is developed.

The following questions were posed to the Administration on the fiscal impact of this legislation concerning:

- the cost of developing a technical standards manual and ODIP
- acquiring software licensing and application support
- internal/external support costs for the Open Data Initiative; and
- any other costs associated with the implementation of the legislation

The Committee may wish to explore these inquiries to better assess the impact of CB-010-2023.

- *Indirect Impact*

Enactment of CB-010-2023 is not likely to have an indirect fiscal impact on the County.

- *Appropriated in the Current Fiscal Year Budget*

No

Effective Date of Proposed Legislation:

The Act shall take effect forty-five (45) days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.