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SENATE BILL NO. 400

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-381, relating to creation of the Virginia Data Commission; report.*

 Patron—Dunnivant

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-381, as follows:

CHAPTER 60.**VIRGINIA DATA COMMISSION.****§ 30-376. Virginia Data Commission; purpose.**

The Virginia Data Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to study, report, and make recommendations related to data governance, quality, sharing, analytics, reporting, intelligence, and performance management, and to ensure that the Commonwealth is a national leader in data-driven policy and evidence-based decision making.

§ 30-377. Membership; terms; vacancies; chairman and vice-chairman.

The Commission shall consist of 25 members that include eight legislative members, 15 nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Rules; eight nonlegislative citizen members from different geographic regions of the Commonwealth, one of whom shall represent local government, one of whom shall represent a public institution of higher education, one of whom shall represent a regional technology council, and one of whom shall be a data operations representative from the legislative branch of government, to be appointed by the Joint Rules Committee; six nonlegislative citizen members engaged in data operations in the executive branch of government, one of whom shall represent the Secretariats of Administration, the Commonwealth, and Finance, one of whom shall represent the Secretariats of Natural Resources and Agriculture and Forestry, one of whom shall represent the Secretariats of Education and Commerce and Trade and the Chief Workforce Advisor, one of whom shall represent the Secretariat of Health and Human Resources, one of whom shall represent the Secretariats of Public Safety and Homeland Security and Veterans and Defense Affairs, and one of whom shall represent the Secretariat of Transportation, to be appointed by the Governor; one nonlegislative citizen member who shall be a data operations representative from the judicial branch of government, to be appointed by the Executive Secretary of the Supreme Court of Virginia; and the Attorney General of the Commonwealth, or his designee, and the Chief Data Officer of the Commonwealth, to serve ex officio with voting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

§ 30-378. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

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59 *No recommendation of the Commission shall be adopted if a majority of the House members or a*
60 *majority of the Senate members appointed to the Commission (i) vote against the recommendation and*
61 *(ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.*

62 **§ 30-379. Compensation; expenses.**

63 *Legislative members of the Commission shall receive such compensation as provided in § 30-19.12,*
64 *and nonlegislative citizen members shall receive such compensation for the performance of their duties*
65 *as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses*
66 *incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to*
67 *members of the General Assembly for attendance at official meetings of the Commission shall be paid*
68 *by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other*
69 *compensation and expenses shall be paid from existing appropriations to the Commission or, if*
70 *unfunded, shall be approved by the Joint Rules Committee.*

71 **§ 30-380. Powers and duties of the Commission.**

72 *The Commission shall have the following powers and duties:*

- 73 *1. Hold meetings and functions at any place within the Commonwealth that it deems necessary;*
74 *2. Conduct studies and gather information and data in order to accomplish the purposes set forth in*

75 *§ 30-377;*

- 76 *3. Define responsibilities among state agencies for data governance programs and encourage data*
77 *sharing among departments, boards, bureaus, commissions, authorities, or other agencies of the*
78 *Commonwealth and political subdivisions thereof;*

- 79 *4. Coordinate agency programs and activities to prevent duplication of data and functions;*

- 80 *5. Set, plan, prioritize, and review data and outcome performance goals and objectives to improve*
81 *operational efficiency, increase delivery of customer-centered services, and promote better outcomes for*
82 *constituents; and*

- 83 *6. Develop policies, standards, and best practices for the Commonwealth regarding data governance,*
84 *quality, sharing, analytics, reporting, intelligence, and performance management, and formulate its*
85 *recommendations to the Governor and the General Assembly.*

86 **§ 30-381. Staffing.**

87 *The Commission may appoint and employ and, at its pleasure, remove an executive director and*
88 *such other persons as it deems necessary to assist it in carrying out its duties as set forth in this*
89 *chapter. The Commission may determine the duties of such staff and fix their salaries or compensation*
90 *within the amounts appropriated thereof. If funds are not appropriated for staffing, the Joint Rules*
91 *Committee shall determine the staffing support for the Commission. All agencies of the Commonwealth*
92 *shall provide assistance to the Commission, upon request.*

93 **§ 30-382. Chairman's executive summary of activity and work of the Commission.**

94 *The chairman shall submit to the General Assembly and the Governor an annual executive summary*
95 *of the interim activity and work of the Commission no later than the first day of each regular session of*
96 *the General Assembly. The executive summary shall be submitted as provided in the procedures of the*
97 *Division of Legislative Automated Systems for the processing of legislative documents and reports and*
98 *shall be posted on the General Assembly's website.*