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January 13, 2025

To: Hon. Kathleen James, Chair
**   House Committee on House Committee on Energy and Digital Infrastructure**

From: S. Lauren Hibbert, Deputy Secretary of State
Re: Transparency and Accessibility of SOS Data

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Transparency and Accessibility of SOS Data

Our goal is to make as much of our information public-facing. We have five systems with public information:

- Business Services
- Elections
    - Election Management System
    - Lobbying
    - Campaign Finance
- Office of Professional Regulation

For all of those systems the public can search for individual information (a specific business, a specific lobbyist, a specific professional). Also for all of these systems the public can download specific reports.

We also have data that feeds either into our website or a partner service:

- VSARA
    - Proposed Administrative Rules
    - Lexis Nexis – Adopted Administrative Rules
- Election Results Archive

In this year's OPR bill (H.472) we are proposing that the Secretary have the authority to charge for data feeds.

3 V.S.A. § 118 COLLECTION AND DISPOSITION OF REVENUE

(b) All revenues collected by the Secretary of State shall be deposited into 15 the Secretary of State Services Fund except for the following revenues:

(1) any revenues collected by the Office of Professional Regulation set 17 forth in chapter 5, subchapter 3 of this title; and

(2) any revenues collected pursuant to subsection 117(k) of this title.

(c) The Secretary of State shall have the authority to collect and deposit into the Secretary of State Services Fund revenues generated from optional services offered in the normal course of business, including for one-time or periodic sales of data by subscription or other contractual basis.

The nature of our records as public and accessible to everyone would not change. Rather, we would be selling the service of providing that data in a certain format for commercial entities to use in their proprietary products. The data might be purchased on a one-time or periodic basis. Similarly, we currently offer a service in OPR or could in other divisions whereby the bulk data downloads are automatically pushed out to commercial users or 3rd party users on a real-time, daily, or weekly basis.

Business Services:

Our data is all available to the public, without cost. At this time there are no data feeds, subscriptions, or sales. Users can conduct a public search of our records without creating a user profile. In addition to individual records, users can download a full data set through a "bulk data download," which is updated on a weekly basis.

- Future use of a data feed: one request is we have received a request to purchase our UCC filing images in bulk, i.e., the actual images of the forms themselves, not just the data contained in the form.

Elections:

Voter Checklist

- Export of statewide voter checklist is shared with individuals and organizations who submit an affidavit that they will only use it for non-commercial purposes and will not disclose to foreign governments. Statutory language regarding checklist in 17 V.S.A. §2154.
- Export of report of absentee ballot requests for statewide and federal elections is shared with individuals and organizations who request it. These typically include political parties, media, organizations performing data analysis or research, educational institutions, candidates, organizations conducting voter registration/outreach locally or nationally, and other interested individuals. No affidavit required.

- Share data with Electronic Registration Information Center and Vermont Department of Motor Vehicles for the purposes of registering Vermonters to vote and maintaining up-to-date checklists.

OPR:

Five Total Data Feed recipients- FSBPT (PT), NASBA (Accountancy), ASC (Real Estate Appraisers), NURSYS (Nurses), UVM.

- The first three of these (FSBPT, NASBA and ASC) are actual data feeds SFTP or FTPS (Secure File Transfer software) in a JSON (JavaScript Object Notation) format. NURSYS and UVM are getting an older file version that we are looking to convert over to a data feed. They are getting an Excel-like report now, which we want to move away from, so they are doing the development work to be able to receive the JSON file. Everyone would like to turn to an API.

Data that is often shared is profession, profession type, basis of licensure, education, exam, discipline, First issuance, effective, and expiration dates, specialties. We have to build these feeds on a user need basis.

VSARA:

Administrative Rules:

- [Vermont State Portal: Proposed Rules Postings](#)
  - Manual update of site by APA clerk (no automatic data feed)
  - No charge to SOS for portal, no charge to public for online access
    - ♣ Online notice requirement is in [3 V.S.A. § 839](#)

- [LexisNexis for SOS publication of Code of Administrative Rules](#)
  - Manual export of data by APA Clerk (no automatic data feed)
  - No charge to SOS for print, no charge to public for online access
    - ♣ "No charge online" by commercial publisher is in [3 V.S.A. § 847(b)(2)](#)