

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2474

SPONSOR: Fiscal Policy Committee and Senator Latvala

SUBJECT: Information Technology Management

DATE: April 19, 2000 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Fav/4 amendments</u>
2.	<u>Hendon</u>	<u>Hadi</u>	<u>FP</u>	<u>Favorable/CS</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill establishes a State Technology Office and locates it in the Department of Management Services (DMS). The office will have the authority previously assigned to the department over all communications and information technology and management. The office is headed by a Chief Information Officer who will prepare and develop policies on behalf of the Executive Office of the Governor.

This bill substantially amends ss. 119.07, 282.005, 282.101, 282.102, 282.103, 282.104, 282.105, 282.106, 282.107, 282.1095, 282.111, 282.20, 282.21, 282.22, 282.303, 282.3031, 282.3032, 282.3041, 282.3055, 282.3063, 282.310, 282.315, 282.318, 282.404, and 287.073, Florida Statutes.

The bill creates s. 282.3095, Florida Statutes.

The bill repeals ss. 282.3091 and 282.3093, Florida Statutes.

II. Present Situation:

The DMS is the single state entity which acts as a central administrative services organization for agencies of the executive branch in property acquisition, management, leasing, procurement and personnel and benefits administration. Its Technology Program and Support Program are responsible for automation support and consolidated purchasing and procurement operations. All public agencies may use the services of DMS, although this authority is made permissive for constitutional entities and the State University System.

Interagency coordination efforts in information technology are also effected through the technology review workgroup created in s. 216.0446, F.S. This legislative/gubernatorial process evaluates multi-agency requests for technology infrastructure requests costing \$500,000 or more.

III. Effect of Proposed Changes:

- Section 1.** Section 282.005, F.S., is amended to add to existing legislative intent that there is a demonstrated need for a more directive role in state information technology management which is best executed through a Chief Information Officer. Exempts the information technology resources used by the Comptroller in the exercise of his or her constitutional duties from the authority of the State Technology Office.
- Section 2.** The term “communications” is replaced by “information technology” and is expanded to include a single, full-service facility. The term “office” is substituted for “department.”
- Section 3.** The State Technology Office succeeds to the authority conferred on the DMS in information technology matters. The head of the office, still made a part of the DMS, is the gubernatorially appointed Chief Information Officer. The office is to coordinate the purchase, lease and use of all state agency information technology. Additional rule-making or policy development authority is conferred on the office in the areas of integrated electronic systems and its attendant fiscal accountability, technology training, and the development of best practices guidelines and an annual report on behalf of the Executive Office of the Governor. In addition, the office is to study and make a recommendation on the feasibility of online voting in the state.
- Sections 4-12.** Nomenclature changes to the title of the office and the definitional changes in information technology are provided to ss. 282.103, 282.104, 282.105, 282.106, 282.107, 282.1095, 282.111, 282.20, and 282.21, F.S. Generally, these sections relocate information technology responsibility from the department and its subordinate divisions to the State Technology Office. The Chief Information Officer may approve the use of reserve funds of the Technology Resource Center and may approve the carry forward of unspent funds pursuant to chapter 216, F.S.
- Section 13.** The office is given the authority to partner with private sector entities and be paid in kind for the cost of services provided. It may disseminate the produced materials to authorized users of the SUNCOM government data, video, and voice communications network.
- Section 14.** The State Technology Council created in s. 282.303, F.S., and whose authority extends from ss. 282.303 through 282.322, F.S., is abolished. In this definitional section the term “information technology hardware” is substituted for “data processing hardware” and is further augmented by the addition of personal communication devices and wireless equipment. In addition, the term “standard” is defined as use of current, open, nonproprietary or nonvendor-specific technologies.

- Section 15.** Section 282.3031, F.S., is amended to assign information resource management responsibilities to the State Technology Office.
- Section 16.** Section 282.3032, F.S., is amended to establish enterprise-wide, integrated, electronic information technology efforts as the primary duty of state agencies.
- Sections 17-19, and 21-22.** The term “information resources” is replaced by “enterprise resource planning” in ss. 282.3041, 282.3055, and 282.3063, F.S., relating to state agency information management planning and the submission of annual reports.
- Section 20.** The Task Force on Privacy and Technology is created in s. 282.3095, F.S. This is the same entity transferred from s. 282.3091, F.S., which is subsequently repealed in the bill.
- Section 23.** Section 282.318, F.S., is amended to require each state agency head to consult with the State Technology Office regarding its data security resources.
- Section 24.** The State Technology Office/Chief Information Officer is substituted for the Office of Planning and Budgeting as the nominal authority for matters relating to geographic information. The Florida Geographic Information Board and Florida Geographic Information Advisory Board are transferred to the State Technology Office from the Executive Office of the Governor.
- Sections 25-26.** Sections 119.07 and 287.073, F.S., are amended to provide revised cross references to information technology provisions amended in the bill.
- Section 27.** Sections 282.3091 and 282.3093, F.S., are repealed.
- Section 28.** The bill is effective upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

There will be additional income to the State of Florida from the enterprise activities of the State Technology Office that flow from any of its partnership agreements.

B. Private Sector Impact:

There will be additional income to private sector entities that collaborate with the State Technology Office in its expanded enterprise activities.

C. Government Sector Impact:

Several new duties are prescribed to the State Technology Office. One such duty is to provide an integrated electronic system for providing government information and services through a single “portal”. The Governor recommended \$2.5 million in administered funds for the first year development of such a portal.

The Department of Management Services bills state agencies, local governments and non-profit organizations for their use of the SUNCOM system. The department uses these funds to pay the telecommunication providers. Current law allows the department to use one percent of the SUNCOM budget for telecommunication research and development projects. The Legislature generally appropriates the SUNCOM budget as a special category and does not specify the amount to be used for the special projects. In the past, the department has used the full one percent of SUNCOM budget for such projects.

The bill increases the amount allowed for special projects to two percent of the SUNCOM budget. This would result in an increase in funding available for such projects from \$968,045 for the current year to \$2,176,091 for Fiscal Year 2000-01 (see table below).

SUNCOM	Current Year 1999-00	Fiscal Year 2000-01
Total Budget	\$96,804,544	\$108,804,544
One Percent of Budget	\$968,045	\$1,088,045
Two Percent of Budget	Not applicable	\$2,176,091

The Department of Management Services states that the increase in the percent of revenues used for special projects will not result in an increase in the rates charged to SUNCOM users.

The bill recreates the Task Force of Privacy and Technology whose members will be reimbursed for travel expenses. The task force would expire July 1, 2001. Travel costs should not be significant and are paid by the Department of Highway Safety and Motor Vehicles.

VI. Technical Deficiencies:

Use of the phrase “to partner with . . .” is a colloquial term unsuited to the Florida Statutes. It would be more appropriate to use the phrase “to contract with . . .” or “to enter into a partnership agreement with . . .”

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
