

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: SB 2474

SPONSOR: Senator Latvala

SUBJECT: Information Technology Management

DATE: April 4, 2000 **REVISED:** 04/05/00 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Fav/4 amendments</u>
2.	_____	_____	<u>FP</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. 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, 282.404, 119.07, 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 areas 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 coordinating 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.
- 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. 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.
- 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.
- 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.
- 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.** A 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.
- 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:

Expansion of the experimental research and development activities of the office from 1 percent to 2 percent of SUNCOM revenues affects an additional \$600,000 in spending authority. These amounts are subject to appropriation. Some \$15 million in unappropriated funds remains in that trust account.

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:**#1 by Governmental Oversight and Productivity:**

No actions undertaken by the State Technology Office shall conflict with the Comptroller’s constitutional powers.

#2 by Governmental Oversight and Productivity:

Provides that any use of additional SUNCOM revenues for experimental purposes shall be governed by competitive procurement processes in law.

#3 by Governmental Oversight and Productivity:

Provides that any experimental processes shall be governed by competitive procurement processes in law.

#4 by Governmental Oversight and Productivity:

Provides that any experimental processes shall be governed by competitive procurement processes in law.