

By the Committee on Governmental Operations and
Representatives Culp, Trovillion and Effman

1 A bill to be entitled
2 An act relating to information resources
3 management; amending s. 11.39, F.S.; revising
4 the duties of the Legislative Information
5 Technology Resource Committee; amending s.
6 120.52, F.S.; providing an additional exclusion
7 to the definition of "rule"; amending ss.
8 186.021 and 186.022, F.S.; revising provisions
9 relating to information resources management in
10 state agency strategic plans and review
11 thereof; creating s. 216.0446, F.S.;
12 authorizing a mechanism for the review of
13 portions of agency strategic plans and
14 legislative budget requests that pertain to
15 information resource management needs; naming
16 this mechanism the Technology Review Workgroup;
17 amending s. 216.181, F.S.; requiring review and
18 approval of amendments to approved budgets
19 which involve specified information resource
20 management initiatives or projects; amending s.
21 282.003, F.S.; revising the short title of ch.
22 282, F.S.; creating s. 282.005, F.S.; providing
23 legislative findings and intent with respect to
24 information resources management; amending s.
25 282.303, F.S.; revising definitions; creating
26 s. 282.3031, F.S.; providing for assignment of
27 information resources management
28 responsibilities; creating s. 282.3032, F.S.;
29 providing guiding principles for development
30 and implementation of information systems;
31 creating s. 282.3041, F.S.; providing for

1 information resources management
2 responsibilities within state agencies;
3 creating s. 282.3055, F.S.; creating the
4 position of Chief Information Officer;
5 providing duties; creating s. 282.3063, F.S.;
6 requiring an Agency Annual Information
7 Resources Management Report; creating s.
8 282.3091, F.S.; creating the State Technology
9 Council; providing legislative intent;
10 providing membership, powers, and duties;
11 creating s. 282.3093, F.S.; creating the State
12 Technology Office; providing legislative
13 intent; providing powers and duties; creating
14 s. 282.310, F.S.; requiring a State Annual
15 Report on Information Resources Management;
16 creating s. 282.315, F.S.; creating the Chief
17 Information Officers Council; providing
18 legislative intent; providing purposes,
19 membership, and duties; amending s. 282.102,
20 F.S.; authorizing the Division of
21 Communications of the Department of Management
22 Services to publish electronically a portfolio
23 of its services; specifying the information to
24 be included in the portfolio; requiring that
25 the information also be provided in hard copy;
26 repealing s. 282.1021, F.S., which requires the
27 Division of Communications to develop a
28 biennial plan for communication services;
29 amending s. 282.20, F.S., relating to the
30 Technology Resource Center; removing references
31 to the Information Resource Commission;

1 amending s. 282.313, F.S.; revising membership
2 and duties of the data processing policy
3 boards; amending s. 282.318, F.S.; revising
4 security requirements for data and information
5 technology resources; amending s. 282.322,
6 F.S., relating to special monitoring for
7 designated information resources management
8 projects; providing for the assumption of
9 specified responsibilities by the Technology
10 Review Workgroup; amending s. 282.404, F.S.,
11 relating to the Geographic Information Board;
12 requiring the board to develop an annual
13 strategic plan; removing references to the
14 Information Resource Commission; revising the
15 membership of the Geographic Information
16 Advisory Council; repealing s. 282.004, F.S.,
17 relating to legislative intent with respect to
18 information resources management and paperwork
19 reduction; repealing s. 282.304, F.S., which
20 provides for the creation of the Information
21 Resource Commission; repealing s. 282.307,
22 F.S., which requires each department to submit
23 a strategic plan for information resources
24 management; repealing s. 282.308, F.S., which
25 requires each state university to prepare a
26 strategic plan for information resources
27 management; repealing s. 282.312, F.S., which
28 requires the submission of annual performance
29 reports to the Information Resource Commission;
30 repealing s. 287.0735, F.S., which requires the
31 review of contracts relating to the acquisition

1 of information technology resources by the
2 Information Resource Commission; repealing s.
3 287.073(5), (6), (7), and (8), F.S., which
4 creates the Information Technology Resource
5 Procurement Advisory Council within the
6 Department of Management Services; repealing s.
7 216.0445, F.S., relating to budget evaluation
8 by the Information Resource Commission;
9 repealing s. 282.309, F.S., which requires the
10 preparation of strategic plans for information
11 resources management by the judicial branch;
12 repealing s. 282.311, F.S., which provides for
13 information resource managers; repealing s.
14 282.305, F.S., which provides powers and duties
15 of the Information Resource Commission and the
16 Board of Regents with respect to information
17 resources management; repealing s. 282.3061,
18 F.S., which provides for a State Strategic Plan
19 for Information Resources Management; repealing
20 s. 282.3062, F.S., which requires an annual
21 report on information resources management by
22 the Information Resource Commission; repealing
23 s. 282.314, F.S., which creates the Information
24 Resources Management Advisory Council; amending
25 s. 215.90, F.S.; renaming the "Florida Fiscal
26 Accounting Management Information System Act"
27 the "Florida Financial Management Information
28 System Act"; amending s. 215.91, F.S.;
29 providing legislative intent; amending s.
30 215.92, F.S.; revising definitions; amending s.
31 215.93, F.S.; providing requirements with

1 respect to the Florida Financial Management
2 Information System and its subsystems; amending
3 s. 215.94, F.S.; revising provisions with
4 respect to the designation, duties, and
5 responsibilities of the functional owners;
6 amending s. 215.95, F.S.; renaming the Fiscal
7 Accounting Information Board as the Financial
8 Management Information Board and revising its
9 duties; requiring the board to develop an
10 annual strategic plan; amending s. 215.96,
11 F.S.; revising provisions with respect to the
12 coordinating council and its membership and
13 duties; providing for design and coordination
14 staff; amending s. 216.141, F.S.; revising
15 provisions with respect to budget system
16 procedures and planning and programming by
17 state agencies; creating a Health Information
18 Systems Council to facilitate coordination and
19 sharing of health-related data; requiring the
20 council to develop and approve an annual
21 strategic plan; amending ss. 20.19, 20.316, and
22 20.41, F.S., to conform and correct
23 cross-references; providing for designation of
24 the planning and service areas of the
25 Department of Elderly Affairs by the
26 Legislature; amending s. 112.3145, F.S.;
27 removing voting members of the Information
28 Technology Resource Procurement Advisory
29 Council from the definition of "specified state
30 employee"; amending s. 216.031, F.S.;
31 correcting a cross-reference; amending ss.

1 216.235 and 216.236, F.S., to conform; amending
2 s. 287.042, F.S., relating to the powers,
3 duties, and functions of the Division of
4 Purchasing of the Department of Management
5 Services, to conform; amending s. 287.073,
6 F.S.; conforming the definition of "information
7 technology resources"; amending s. 943.08,
8 F.S.; requiring the Criminal and Juvenile
9 Justice Information Systems Council to develop
10 and approve an annual strategic plan; requiring
11 that the current staff of the Information
12 Resource Commission be given priority
13 consideration for vacant or new positions;
14 providing for storage of records and requiring
15 that the records of the Information Resource
16 Commission be transferred to the State
17 Technology Office; providing for the repeal of
18 the administrative rules of the Information
19 Resource Commission on June 30, 1998; providing
20 for the transfer of specified unexpended
21 appropriations to the Technology Review
22 Workgroup; providing for a reviser's bill;
23 providing effective dates.

24

25 Be It Enacted by the Legislature of the State of Florida:

26

27 Section 1. Subsection (2) of section 11.39, Florida
28 Statutes, is amended to read:

29

11.39 Legislative Information Technology Resource
30 Committee; membership; powers; duties.--

31

(2) The committee shall:

1 ~~(a) Recommend to the Legislature, at least annually,~~
2 ~~needed legislation in the area of information technology~~
3 ~~resource use and management.~~

4 (a)~~(b)~~ Maintain a continuous review of the use and
5 management of information technology resources by the various
6 agencies.

7 (b) Evaluate recommendations proposed by the State
8 Technology Council with respect to information resources
9 management issues and solicit the council's comments on
10 proposed information resources management legislation.

11 (c) In consultation with the Joint Legislative
12 Auditing Committee, review and assess the implementation of
13 the information resources initiatives or projects identified
14 in the agency strategic plans.

15 (d) Recommend to the Legislature, at least annually,
16 needed legislation in the area of information technology
17 resource use and management.

18 (e)~~(c)~~ Assist standing committees of the Senate and of
19 the House of Representatives with such services as the joint
20 committee may deem necessary, ~~including, but not limited to,~~
21 ~~review of agency information technology resource plans as~~
22 ~~provided in s. 282.307 and evaluation of the overall impact of~~
23 ~~resource acquisitions on the productivity and services of the~~
24 ~~agencies.~~

25 Section 2. Paragraph (c) of subsection (15) of section
26 120.52, Florida Statutes, 1996 Supplement, is amended to read:

27 120.52 Definitions.--As used in this act:

28 (15) "Rule" means each agency statement of general
29 applicability that implements, interprets, or prescribes law
30 or policy or describes the procedure or practice requirements
31 of an agency and includes any form which imposes any

1 requirement or solicits any information not specifically
2 required by statute or by an existing rule. The term also
3 includes the amendment or repeal of a rule. The term does not
4 include:

5 (c) The preparation or modification of:
6 1. Agency budgets.
7 2. Statements, memoranda, or instructions to state
8 agencies issued by the Comptroller as chief fiscal officer of
9 the state and relating or pertaining to claims for payment
10 submitted by state agencies to the Comptroller.

11 3. Contractual provisions reached as a result of
12 collective bargaining.

13 4. Memoranda issued by the Executive Office of the
14 Governor relating to information resources management.

15 Section 3. Subsections (1), (2), and (4) of section
16 186.021, Florida Statutes, are amended to read:

17 186.021 State agency strategic plans.--

18 (1) A state agency strategic plan shall be a statement
19 of the priority directions an agency will take to carry out
20 its mission within the context of the state comprehensive plan
21 and any other statutory mandates and authorizations given to
22 the agency. Each state agency strategic plan must identify
23 infrastructure needs, capital improvement needs, and
24 information resources management projects or initiatives that
25 involve more than one agency, that have an outcome that
26 impacts another agency, or that exceed \$500,000 in total cost
27 over a 1-year period. Each agency strategic plan ~~needs~~
28 ~~associated with agency programs and~~ shall specify those
29 objectives against which will be judged the agency's
30 achievement of its goals and the goals of the state
31 comprehensive plan. The state agency strategic plan shall be

1 consistent with and shall further the goals of the state
2 comprehensive plan.

3 (2) A state agency strategic plan shall be developed
4 with a 5-year outlook and shall provide the strategic
5 framework within which an agency's legislative budget request
6 is and the agency Strategic Information Resource Management
7 Plan are developed. An agency's budget and its Strategic
8 Information Resource Management Plan shall be designed to
9 further the agency's strategic plan.

10 (4) The Department of Environmental Protection, with
11 regard to the plan required by s. 373.036, and the state land
12 planning agency, with regard to the plan defined in s.
13 380.031(17), and the Information Resource Commission, with
14 regard to the plan defined in s. 282.3061, shall prepare
15 revisions to such plans no later than 6 months after the
16 adoption of revisions to the growth management portion of the
17 state comprehensive plan or by June 1 of each even-numbered
18 year, whichever is later.

19 Section 4. Subsection (3) of section 186.022, Florida
20 Statutes, 1996 Supplement, is amended, and subsection (9) is
21 added to that section, to read:

22 186.022 State agency strategic plans; preparation,
23 form, and review.--

24 (3) The Executive Office of the Governor shall review
25 the state agency strategic plans to ensure that they are
26 consistent with the state comprehensive plan and other
27 requirements as specified in the written instructions. In its
28 review, the Executive Office of the Governor shall consider
29 all comments received in formulating required revisions. This
30 shall include:

31

1 (a) The findings of the Statewide Health Council's
2 review of the consistency of the health components of agency
3 strategic plans with the health element of the state
4 comprehensive plan;

5 (b) The findings of the Technology Review Workgroup as
6 to the consistency of the information resources management
7 portion of agency strategic plans with the State Annual Report
8 on Information Resources Management and statewide policies
9 recommended by the State Technology Council ~~review of the~~
10 ~~Information Resource Commission with respect to the strategic~~
11 ~~information resources management issues not covered under~~
12 ~~paragraph (d); and~~

13 (c) The findings of the Criminal and Juvenile Justice
14 Information Systems Council's review with respect to public
15 safety system strategic information ~~technology~~ resources
16 management issues.

17
18 Within 60 days, reviewed plans shall be returned to the
19 agency, together with any required revisions. However, any
20 required revisions relating to information resources
21 management needs identified in the agency strategic plans are
22 subject to the notice and review procedures set forth in s.
23 216.177 and must be approved by the Administration Commission
24 for the executive branch and the Chief Justice for the
25 judicial branch.

26 (9) By March 1 of each year, the Geographic
27 Information Board, the Financial Management Information Board,
28 the Criminal and Juvenile Justice Information Systems Council,
29 and the Health Information Systems Council shall each develop
30 a strategic plan following the general statutory requirements
31 that are applicable to agencies pursuant to s. 186.021(1),

1 (2), and (3). The strategic plan shall be subject to the
2 requirements, and the review and approval processes, set forth
3 in subsections (2) through (7), with the following exceptions:

4 (a) The Executive Office of the Governor, after
5 consultation with the President of the Senate and Speaker of
6 the House of Representatives, may prescribe a specific format
7 and content for the strategic plans of coordinating boards and
8 councils.

9 (b) The time periods for review and return of any
10 required strategic plan revisions, incorporation of such
11 revisions by the boards or councils, and resolution of
12 disputes shall be established by the Executive Office of the
13 Governor, after consultation with the President of the Senate
14 and the Speaker of the House of Representatives.

15 Section 5. Section 216.0446, Florida Statutes, is
16 created to read:

17 216.0446 Review of information resources management
18 needs.--

19 (1) The Executive Office of the Governor may contract
20 with the Legislature to provide a mechanism for review of and
21 recommendations with respect to the portion of agencies'
22 strategic plans which pertains to information resources
23 management needs and with respect to agencies' legislative
24 budget requests for information resources management. This
25 mechanism shall be referred to as the Technology Review
26 Workgroup, which shall be headed by a senior-level manager.

27 (2) In addition to its primary duty specified in
28 subsection (1), the Technology Review Workgroup shall have
29 powers and duties that include, but are not limited to, the
30 following:

31

1 (a) To evaluate the information resource management
2 needs identified in the agency strategic plans for consistency
3 with the State Annual Report on Information Resources
4 Management and statewide policies recommended by the State
5 Technology Council, and make recommendations to the Executive
6 Office of the Governor, pursuant to s. 186.022(3).

7 (b) To review and make recommendations to the
8 Executive Office of the Governor and the chairs of the
9 legislative fiscal committees on notices of proposed action
10 for budget items with respect to information resources
11 management initiatives or projects that involve more than one
12 agency, that have an outcome that impacts another agency, or
13 that exceed \$500,000 in total cost over a 1-year period.

14 (c) To make recommendations to the Executive Office of
15 the Governor on guidelines and best practices for information
16 resources management based on information received from the
17 State Technology Council.

18 Section 6. Present subsections (4) through (14) of
19 section 216.181, Florida Statutes, 1996 Supplement, are
20 renumbered as subsections (5) through (15), respectively, and
21 a new subsection (4) is added to that section to read:

22 216.181 Approved budgets for operations and fixed
23 capital outlay.--

24 (4) All amendments to the original approved operating
25 budgets, regardless of funding source, are subject to the
26 notice and review procedures set forth in s. 216.177 and must
27 be approved by the Governor and Administration Commission as
28 provided in this chapter for the executive branch and the
29 Chief Justice for the judicial branch if the amendment is for
30 an information resources management project or initiative that
31 involves more than one agency, has an outcome that impacts

1 another agency, or exceeds \$500,000 in total cost over a
2 1-year period.

3 Section 7. Section 282.003, Florida Statutes, 1996
4 Supplement, is amended to read:

5 282.003 Short title.--This chapter may be cited as the
6 "Information ~~Technology~~ Resources Management Act of 1997
7 ~~1996.~~"

8 Section 8. Section 282.005, Florida Statutes, is
9 created to read:

10 282.005 Legislative findings and intent.--The
11 Legislature finds that:

12 (1) Information is a strategic asset of the state and,
13 as such, it should be managed as a valuable state resource.

14 (2) The state makes significant investments in
15 information technology resources in order to manage
16 information and to provide services to its citizens.

17 (3) The head of each state agency has primary
18 responsibility and accountability for the planning, budgeting,
19 acquisition, development, implementation, use, and management
20 of information technology resources within the agency.

21 (4) The expanding need for, use of, and dependence on
22 information technology resources requires focused management
23 attention and managerial accountability by state agencies and
24 the state as a whole.

25 (5) The agency head has primary responsibility for the
26 agency's information technology resources and for their use in
27 accomplishing the agency's mission. However, each agency
28 shall also use its information technology resources in the
29 best interests of the state as a whole and thus contribute to
30 and make use of shared data and related resources whenever
31 appropriate.

1 (6) The state shall provide, by whatever means is most
2 cost-effective and efficient, the information resources
3 management infrastructure needed to collect, store, and
4 process the state's data and information, provide
5 connectivity, and facilitate the exchange of data and
6 information among both public and private parties.

7 (7) A necessary part of the state's information
8 resources management infrastructure is a statewide
9 communications system for all types of signals, including
10 voice, data, video, radio, and image.

11 (8) To ensure the best management of the state's
12 information technology resources, and notwithstanding other
13 provisions of law to the contrary, the functions of
14 information resources management are hereby assigned to the
15 Board of Regents as the agency responsible for the development
16 and implementation of policy, planning, management,
17 rulemaking, standards, and guidelines for the State University
18 System; to the State Board of Community Colleges as the agency
19 responsible for establishing and developing rules and policies
20 for the State Community College System; to the Supreme Court,
21 for the judicial branch; and to each state attorney and public
22 defender.

23 Section 9. Section 282.303, Florida Statutes, is
24 amended to read:

25 282.303 Definitions.--For the purposes of ss.
26 282.303-282.322, the term:

27 (1) "Agency" means those entities described in chapter
28 216.

29 (2) "State Technology Council" means the council
30 created in s. 282.3091 to develop a statewide vision for, and
31 make recommendations on, information resources management.

1 ~~"Commission" means the Information Resource Commission as~~
2 ~~created by s. 282.304.~~

3 (3) "Chief Information Officer" means the person
4 appointed by the agency head to coordinate and manage the
5 information resources management policies and activities
6 within that agency.~~"Common applications" means separately~~
7 ~~identifiable information technology resources that are used to~~
8 ~~support an objective and are shared statewide or agencywide.~~

9 (4) "Chief Information Officers Council" means the
10 council created in s. 282.315 to facilitate the sharing and
11 coordination of information resources management issues and
12 initiatives among the agencies.~~"Common data structure" means~~
13 ~~logical data items or attributes that are shared statewide or~~
14 ~~agencywide.~~

15 (5) "State Technology Office" means the office created
16 in s. 282.3093 to support specified information resource
17 management activities and to facilitate educational and
18 training opportunities.~~"Computing component" means the part~~
19 ~~of the agency's technology architecture for supporting its~~
20 ~~data processing hardware and the agency's strategy to~~
21 ~~facilitate common applications.~~

22 (6) "Data processing hardware" means information
23 technology equipment designed for the automated storage,
24 manipulation, and retrieval of data by electronic or
25 mechanical means, or both, and includes, but is not limited
26 to, central processing units, front-end processing units,
27 including miniprocessors and microprocessors, and related
28 peripheral equipment such as data storage devices, document
29 scanners, data entry, terminal controllers and data terminal
30 equipment, computer-related word processing systems, and
31 equipment and systems for computer networks.

1 (7) "Data processing services" means all services that
2 include, but are not limited to, feasibility studies, systems
3 design, software development, or time-sharing services.

4 (8) "Data processing software" means the programs and
5 routines used to employ and control the capabilities of data
6 processing hardware, including, but not limited to, operating
7 systems, compilers, assemblers, utilities, library routines,
8 maintenance routines, applications, and computer networking
9 programs.

10 (9) "Agency Annual Information Resources Management
11 Report" means the report prepared by the Chief Information
12 Officer of each agency as required by s. 282.3063.

13 ~~"Department" means the principal administrative unit within~~
14 ~~the executive branch of state government as defined in chapter~~
15 ~~20. For the purposes of ss. 282.303-282.313, the State Board~~
16 ~~of Administration, the Executive Office of the Governor, and~~
17 ~~the Game and Fresh Water Fish Commission shall be considered~~
18 ~~departments.~~

19 (10) "State Annual Report on Information Resources
20 Management" means the report prepared by the State Technology
21 Office as defined in s. 282.3093. ~~"Executive director" means~~
22 ~~the executive director of the Information Resource Commission~~
23 ~~as provided in s. 282.304.~~

24 (11) "Project" means an undertaking directed at the
25 accomplishment of a strategic objective relating to
26 information resources management or a specific appropriated
27 program. ~~"Information architecture" means the set of common~~
28 ~~applications and common data structures that are planned to~~
29 ~~support statewide or agency objectives.~~

30 (12) "Information resources management" means the
31 planning, budgeting, acquiring, developing, organizing,

1 directing, training, and control associated with government
2 information resources. The term encompasses information and
3 related resources, as well as the controls associated with
4 their acquisition, development, dissemination, and use.

5 (13) "Information technology resources" means data
6 processing hardware and software and services, communications,
7 supplies, personnel, facility resources, maintenance, and
8 training. ~~The commission shall determine, by rule, the~~
9 ~~process control devices to be excluded from this definition.~~

10 (14) "Information resources management infrastructure"
11 means the hardware, software, networks, data, human resources,
12 policies, standards, and facilities that are required to
13 support the business processes of an agency. ~~"Infrastructure~~
14 ~~component" means the training, personnel, facilities, and~~
15 ~~administrative support for implementing the agency's computing~~
16 ~~and network components of the technology architecture.~~

17 (15) "Technology Review Workgroup" means the workgroup
18 created in s. 216.0446 to review and make recommendations on
19 agencies' information resource management planning and
20 budgeting proposals. ~~"Manager" means the information resource~~
21 ~~manager appointed by each department.~~

22 (16) "Total cost" means all costs associated with
23 information resources management projects or initiatives,
24 including, but not limited to, value of hardware, software,
25 service, maintenance, incremental personnel, and facilities.
26 Total cost of a loan or gift of information technology
27 resources to an agency includes the fair market value of the
28 resources, except that the total cost of loans or gifts of
29 information technology resources to state universities to be
30 used in instruction or research does not include fair market
31 value. ~~"Network component" means the framework for employing~~

1 ~~data communications resources in support of the agency's~~
2 ~~technology architecture, including local and wide area network~~
3 ~~capabilities, and the agency's strategy for facilitating~~
4 ~~common application access to common data structures.~~

5 ~~(17) "Project" means an undertaking directed at the~~
6 ~~accomplishment of a strategic objective relating to~~
7 ~~information resources management or a specific appropriated~~
8 ~~program.~~

9 ~~(18) "Reporting requirement" means a statutory~~
10 ~~provision that specifically requires a state governmental~~
11 ~~entity to prepare or have prepared on a regular or periodic~~
12 ~~basis a written account or record for the purpose of informing~~
13 ~~persons outside of the state governmental entity of matters~~
14 ~~relevant to the official business of the state governmental~~
15 ~~entity. The term does not include requirements for the~~
16 ~~preparation of legislative budget requests or the preparation~~
17 ~~of brochures, newsletters, handbooks, manuals, pamphlets,~~
18 ~~flyers, directories, or other similar documents.~~

19 ~~(19) "State governmental entity" means any department,~~
20 ~~agency, or other unit of organization of the executive branch~~
21 ~~of state government, a unit of organization of the legislative~~
22 ~~branch of state government, a unit of organization of the~~
23 ~~judicial branch of state government, the State Board of~~
24 ~~Community Colleges, the Board of Regents, and the Public~~
25 ~~Service Commission.~~

26 Section 10. Sections 282.3031, 232.3032, 282.3041,
27 282.3055, 282.3063, 282.3091, 282.3093, 282.310 and 282.315,
28 Florida Statutes, are created to read:

29 282.3031 Assignment of information resources
30 management responsibilities.--For purposes of ss.
31 282.303-282.322, to ensure the best management of state

1 information technology resources, and notwithstanding other
2 provisions of law to the contrary, the functions of
3 information resources management are hereby assigned to the
4 Board of Regents as the agency responsible for the development
5 and implementation of policy, planning, management,
6 rulemaking, standards, and guidelines for the State University
7 System; to the State Board of Community Colleges as the agency
8 responsible for establishing and developing rules and policies
9 for the State Community College System; to the Supreme Court
10 for the judicial branch; and to each state attorney and public
11 defender.

12 282.3032 Development and implementation of information
13 systems; guiding principles.--To ensure the best management of
14 the state's information technology resources, the following
15 guiding principles are adopted:

16 (1) Cooperative planning by state governmental
17 entities is a prerequisite for the effective development and
18 implementation of information systems to enable sharing of
19 data.

20 (2) The planning process, as well as coordination of
21 development efforts, should include all principals from the
22 outset.

23 (3) State governmental entities should be committed to
24 maximizing information sharing and moving away from
25 proprietary positions taken relative to data they collect and
26 maintain.

27 (4) State governmental entities should maximize public
28 access to data, while complying with legitimate security,
29 privacy, and confidentiality requirements.

30
31

1 (5) State governmental entities should strive for
2 electronic sharing of information via networks to the extent
3 possible.

4 (6) To the extent that state government entities
5 charge each other for data, this practice, insofar as
6 possible, should be eliminated. Further, when the capture of
7 data for mutual benefit can be accomplished, the costs for the
8 development, capture, and network for access to that data
9 should be shared.

10 (7) The redundant capture of data should, insofar as
11 possible, be eliminated.

12 (8) Only data that are auditable, or that otherwise
13 can be determined to be accurate, valid, and reliable, should
14 be maintained.

15 (9) Methods of sharing data among different protocols
16 should be developed without requiring major redesign or
17 replacement of individual systems.

18 (10) Consistency of data elements should be achieved
19 by establishing standard data definitions and formats when
20 possible.

21 282.3041 State agency responsibilities.--The head of
22 each state agency is responsible and accountable for
23 information resources management within the agency in
24 accordance with legislative intent and as defined in this
25 chapter.

26 282.3055 Agency Chief Information Officer;
27 appointment; duties.--

28 (1)(a) To assist the agency head in carrying out the
29 information resources management responsibilities, the agency
30 head shall appoint or contract for a Chief Information Officer
31 at a level commensurate with the role and importance of

1 information technology resources in the agency. This position
2 may be full time or part time.

3 (b) The Chief Information Officer must, at a minimum,
4 have knowledge and experience in both management and
5 information technology resources.

6 (2) The duties of the Chief Information Officer
7 include, but are not limited to:

8 (a) Coordinating and facilitating agency information
9 resources management projects and initiatives.

10 (b) Preparing an agency annual report on information
11 resources management pursuant to s. 282.3063.

12 (c) Developing and implementing agency information
13 resources management policies, procedures, and standards,
14 including specific policies and procedures for review and
15 approval of the agency's purchases of information technology
16 resources.

17 (d) Advising agency senior management as to the
18 information resources management needs of the agency for
19 inclusion in planning documents required by law.

20 (e) Assisting in the development and prioritization of
21 the information resources management schedule of the agency's
22 legislative budget request.

23 282.3063 Agency Annual Information Resources
24 Management Report.--

25 (1) By November 1 of each year, and for the State
26 University System within 90 days after completion of the
27 expenditure analysis developed pursuant to s. 240.271(4), each
28 Chief Information Officer shall prepare and submit to the
29 State Technology Office an Agency Annual Information Resources
30 Management Report. Following consultation with the State
31 Technology Council and the Chief Information Officers Council,

1 the Executive Office of the Governor and the fiscal committees
2 of the Legislature shall jointly develop and issue
3 instructions for the format and contents of the report.

4 (2) The Agency Annual Information Resources Management
5 Report shall contain, at a minimum, the following:

6 (a) A forecast of information resources management
7 priorities and initiatives for the ensuing 2 years.

8 (b) A description of the current information resources
9 management infrastructure of the agency and planned changes
10 for the ensuing 2 years.

11 (c) A status report on the major information resources
12 management projects of the agency.

13 (d) An assessment of the progress made toward
14 implementing the prior fiscal year legislative appropriation
15 to the agency for information resources management.

16 (e) The estimated expenditures by the agency for
17 information resources management for the prior fiscal year.

18 (f) An inventory list, by major categories, of the
19 agency information technology resources, which specifically
20 identifies the resources acquired during the previous fiscal
21 year.

22 (g) An assessment of opportunities for the agency to
23 share information resources management projects or initiatives
24 with other governmental or private entities.

25 (h) A list of information resources management issues
26 the agency has identified as statewide issues or critical
27 information resources management issues for which the State
28 Technology Council could provide future leadership or
29 assistance.

30 282.3091 State Technology Council; creation.--
31

1 (1) The Legislature finds that it is in the state's
2 interest to create a council consisting of state senior-level
3 executive managers and representatives from the private sector
4 to develop a statewide vision and to make recommendations on
5 statewide policies for information resources management to the
6 Executive Office of the Governor and the Legislature.

7 (2) There is created a State Technology Council. The
8 council shall be placed, for administrative purposes, in the
9 Department of Management Services.

10 (3) The council shall be composed of nine members as
11 follows:

12 (a) The director of the Governor's Office of Planning
13 and Budgeting, who shall serve as chair of the council.

14 (b) The Comptroller.

15 (c) The Commissioner of Education.

16 (d) The Secretary of State.

17 (e) The secretary of the Department of Management
18 Services.

19 (f) Two state agency heads appointed by the Governor.

20 (g) Two private sector representatives, one appointed
21 by the Speaker of the House of Representatives and one
22 appointed by the President of the Senate, who are not current
23 members of the Legislature. Private sector representatives
24 shall, at a minimum, have a general knowledge of or experience
25 in managing information technology resources. However,
26 representatives of information technology resource vendors or
27 any of their subsidiaries that sell products or services to
28 the state shall not be appointed to serve as a private sector
29 representative.

30 (4) Members of the council who are appointed shall
31 serve 2-year terms beginning January 1 through December 31,

1 except that their initial term shall be July 1, 1997, through
2 December 31, 1998. A member may be removed by the appointing
3 officer for cause or if such member is absent from three
4 consecutive meetings. Any member appointed to fill a vacancy
5 shall serve for the unexpired term of his or her predecessor.

6 (5) The council shall meet at least quarterly, but may
7 meet upon the call of the chair. All actions taken by the
8 council shall be based upon approval by a simple majority.

9 (6) Members of the council shall be reimbursed for per
10 diem and travel expenses as provided in s. 112.061. Members
11 who are state officers or employees may be reimbursed for such
12 expenses by their respective agencies.

13 (7) The council shall have the following duties and
14 responsibilities:

15 (a) To develop a statewide vision for information
16 resources management which shall be reflected in the State
17 Annual Report on Information Resources Management.

18 (b) To recommend statewide policies to the Executive
19 Office of the Governor and to the Joint Legislative
20 Information Technology Resource Committee.

21 (c) To recommend innovation in the state's use of
22 technology to the Executive Office of the Governor and the
23 Joint Legislative Information Technology Resource Committee.

24 (d) To identify, develop, and recommend solutions to
25 address statewide technology issues to the Executive Office of
26 the Governor and the Joint Legislative Information Technology
27 Resource Committee.

28 (e) To create ad hoc issue-oriented workgroups to make
29 recommendations to the council and to the Executive Office of
30 the Governor. Such workgroups may include private and public
31 sector representatives.

1 (f) To review, evaluate, and comment on proposals by
2 the Joint Legislative Information Technology Resource
3 Committee.

4 (g) To consult with the Chief Information Officers
5 Council.

6 (h) To approve the State Annual Report on Information
7 Resources Management.

8 (i) To recommend memoranda on guidelines and best
9 practices to the Executive Office of the Governor.

10 282.3093 State Technology Office; legislative intent;
11 powers and duties.--

12 (1) It is the intent of the Legislature that an office
13 be created to provide support to specified organizations and
14 workgroups and to facilitate state educational and training
15 opportunities to enhance the state's use and management of
16 information technology resources.

17 (2) There is created a State Technology Office in the
18 Department of Management Services, which shall be headed by a
19 senior-level manager, who may be in the Senior Management
20 Service upon determination by the Department of Management
21 Services that the duties and responsibilities of the office
22 are comparable to other Senior Management Service positions.

23 (3) The duties of the State Technology Office include,
24 but are not limited to, the following:

25 (a) Advising and providing administrative support to
26 the State Technology Council.

27 (b) Providing administrative support to the Chief
28 Information Officers Council.

29 (c) Providing administrative support for ad hoc
30 issue-oriented workgroups created by the State Technology
31 Council.

1 (d) Providing assistance, as needed, to the Technology
2 Review Workgroup.

3 (e) Facilitating state educational and training
4 opportunities for senior management, chief information
5 officers, and agency technical staff.

6 (f) Preparing, on behalf of the Executive Office of
7 the Governor, memoranda on recommended guidelines and best
8 practices for information resource management, when requested.

9 (g) Preparing, publishing, and disseminating the State
10 Annual Report on Information Resources Management pursuant to
11 s. 282.310.

12 282.310 State Annual Report on Information Resources
13 Management.--

14 (1) By March 1 of each year, the State Technology
15 Office shall develop a State Annual Report on Information
16 Resources Management.

17 (2) The State Annual Report on Information Resources
18 Management shall contain, at a minimum, the following:

19 (a) The state vision for information resource
20 management.

21 (b) A forecast of the state information resources
22 management priorities and initiatives for the ensuing 2 years.

23 (c) A summary of major statewide policies recommended
24 by the State Technology Council for information resources
25 management.

26 (d) A summary of memoranda issued by the Executive
27 Office of the Governor.

28 (e) An assessment of the overall progress on state
29 information resources management initiatives and priorities
30 for the past fiscal year.

31

1 (f) A summary of major statewide issues related to
2 improving information resources management by the state.

3 (g) An inventory list, by major categories, of state
4 information technology resources.

5 (h) A summary of the total expenditures for
6 information resources management by each state agency.

7 (i) A summary of the opportunities for government
8 agencies or entities to share information resource management
9 projects or initiatives with other governmental or private
10 sector entities.

11 (j) A list of the information resource management
12 issues that have been identified as statewide or critical
13 issues for which the State Technology Council could provide
14 leadership or assistance.

15
16 The state annual report shall also include information
17 resources management information from the annual reports
18 prepared by the Board of Regents for the State University
19 System, from the State Board of Community Colleges for the
20 State Community College System, from the Supreme Court for the
21 judicial branch, and from each state attorney and public
22 defender. Expenditure information shall be taken from each
23 agency's annual report as well as the annual reports of the
24 Board of Regents, the State Board of Community Colleges, the
25 Supreme Court, the state attorneys, and the public defenders.

26 (3) The state annual report shall be made available in
27 writing or through electronic means to the Executive Office of
28 the Governor, the President of the Senate, the Speaker of the
29 House of Representatives, the Joint Legislative Information
30 Technology Resource Committee, and the Chief Justice of the
31 Supreme Court.

1 282.315 Chief Information Officers Council;
2 creation.--The Legislature finds that enhancing communication,
3 consensus building, coordination, and facilitation of
4 statewide information resources management issues is essential
5 to improving state management of such resources.

6 (1) There is created a Chief Information Officers
7 Council to:

8 (a) Enhance communication among the Chief Information
9 Officers of state agencies by sharing information resources
10 management experiences and exchanging ideas.

11 (b) Facilitate the sharing of best practices that are
12 characteristic of highly successful technology organizations,
13 as well as exemplary information technology applications of
14 state agencies.

15 (c) Identify efficiency opportunities among state
16 agencies.

17 (d) Serve as an educational forum for information
18 resources management issues.

19 (e) Assist the State Technology Council in identifying
20 critical statewide issues and, when appropriate, make
21 recommendations for solving information resources management
22 deficiencies.

23 (2) Members of the council shall include the Chief
24 Information Officers of all state agencies, including the
25 Chief Information Officers of the agencies and governmental
26 entities enumerated in s. 282.3031, except that there shall be
27 one Chief Information Officer selected by the state attorneys
28 and one Chief Information Officer selected by the public
29 defenders. The chairs, or their designees, of the Geographic
30 Information Board, the Florida Financial Management
31 Information System Coordinating Council, the Criminal and

1 Juvenile Justice Information Systems Council, and the Health
2 Information Systems Council shall represent their respective
3 organizations on the Chief Information Officers Council as
4 voting members.

5 (3) The State Technology Office shall provide
6 administrative support to the council.

7 Section 11. Subsection (1) of section 282.102, Florida
8 Statutes, 1996 Supplement, is amended to read:

9 282.102 Powers and duties of Division of
10 Communications of the Department of Management Services.--The
11 Division of Communications of the Department of Management
12 Services shall have the following powers, duties, and
13 functions:

14 (1) To publish electronically the portfolio of
15 services available from the division, including pricing
16 information; the policies and procedures of the division
17 governing usage of available services; and a forecast of the
18 priorities and initiatives for the state communications system
19 for the ensuing 2 years. The division shall provide a hard
20 copy of its portfolio of services upon request.

21 Section 12. Section 282.1021, Florida Statutes, is
22 hereby repealed.

23 Section 13. Section 282.20, Florida Statutes, is
24 amended to read:

25 282.20 Technology Resource Center.--

26 (1)(a) The Division of Information Services of the
27 Department of Management Services shall operate and manage the
28 Technology Resource Center.

29 (b) For the purposes of this section, the term:

30 1. "Department" means the Department of Management
31 Services.

1 2. "Division" means the Division of Information
2 Services of the Department of Management Services.

3 3. "Information-system utility" means a full-service
4 information-processing facility offering hardware, software,
5 operations, integration, networking, and consulting services
6 to state agencies.

7 (2) The division and the Technology Resource Center
8 shall:

9 (a) Serve the department and other state agencies as
10 an information-system utility.

11 (b) ~~Cooperate with the Information Resource Commission~~
12 ~~and with other state agencies to~~ Offer, develop, and support a
13 wide range of services and applications needed by users of the
14 Technology Resource Center.

15 (c) Cooperate with the Florida Legal Resource Center
16 of the Department of Legal Affairs and other state agencies to
17 develop and provide access to repositories of legal
18 information throughout the state.

19 (d) Cooperate with the Division of Communications of
20 the department to facilitate interdepartmental networking and
21 integration of network services for state agencies.

22 (e) Assist state agencies in testing and evaluating
23 new and emerging technologies that could be used to meet the
24 needs of the state.

25 (3) The division may contract with state agencies to
26 provide any combination of services necessary for agencies to
27 fulfill their responsibilities and to serve their users.

28 (4)(a) There is created for the Technology Resource
29 Center a data processing policy board as provided in s.
30 282.313.

31

1 (b) In addition to the members of the policy board
2 provided in s. 282.313, the following ex officio members are
3 appointed to the data processing policy board of the
4 Technology Resource Center: ~~the Executive Director of the~~
5 ~~Information Resource Commission~~, the Director of the Division
6 of Communications of the Department of Management Services,
7 and the chair of the coordinating council to the Florida
8 Fiscal Accounting Management Information System, as created in
9 s. 215.96, or their respective designees. The ex officio
10 members provided in this subsection shall vote and serve in
11 the same manner as other policy board members.

12 (5) The Technology Resource Center may plan, design,
13 establish pilot projects for, and conduct experiments with
14 information technology resources, and may implement
15 enhancements in services when such implementation is
16 cost-effective. Funding for experiments and pilot projects
17 shall be derived from service revenues and may not exceed 5
18 percent of the service revenues for the Technology Resource
19 Center for any fiscal year. Any experiment, pilot project,
20 plan, or design must be approved by the data processing policy
21 board of the center.

22 (6) Notwithstanding the provisions of s. 216.272, the
23 Technology Resource Center may spend the funds in the reserve
24 account of its working capital trust fund for enhancements to
25 center operations or for information technology resources. Any
26 expenditure of reserve account funds must be approved by the
27 data processing policy board of the center. Any funds
28 remaining in the reserve account at the end of the fiscal year
29 may be carried forward and spent as approved by the policy
30 board.

31

1 Section 14. Section 282.313, Florida Statutes, is
2 amended to read:

3 282.313 Data processing policy boards.--

4 (1) There is created a data processing policy board
5 for each data processing center which derives 20 percent or
6 more of its total yearly funding from departments other than
7 the host department for the center. The Chief Information
8 Officer ~~information resource manager~~ of each department
9 utilizing the center, or his or her designee, shall serve as
10 the representative on the policy board. The data center
11 director shall serve in a nonvoting ex officio capacity. A
12 designee of the director or the supervisor of the data
13 processing center shall serve without voting rights as the
14 secretary to the policy board. The secretary shall maintain
15 minutes of each policy board meeting. Upon approval of the
16 minutes by the policy board, the secretary shall file a copy
17 with the commission. The policy board shall annually elect a
18 chair from its membership and shall meet at the call of the
19 chair or at the request of a majority of the members.

20 (2) Each data processing center shall review its
21 information resources management needs in its agency strategic
22 information technology resource plan with the policy board
23 prior to the submission of the plan as prescribed by ss.
24 186.021 and 186.022 ~~282.307-282.309~~. The policy board may
25 suggest modifications to that plan ~~and submit any suggested~~
26 ~~modifications as part of the plan.~~

27 (3) Actions taken by the data processing center to
28 implement its approved plan shall be reviewed and approved by
29 the policy board prior to implementation. These actions
30 include, but are not limited to, setting policies and
31 procedures governing the data processing center's rate

1 structure and charging algorithm, information technology
2 resource acquisitions above \$2,500, setting of work
3 priorities, scheduling, and acceptance of new users.

4 (4) The data processing policy board may approve
5 expenditures derived from the overall rate structure of the
6 data processing center, not to exceed 5 percent of the gross
7 services billings to all users in any fiscal year, to design,
8 demonstrate, and conduct research and development for advanced
9 information technology solutions to information processing
10 problems. The data processing center may enter into agreements
11 with private industry and federal, state, and local
12 governments in designing, demonstrating, or developing such
13 technologies which offer the potential to improve efficiency
14 and reduce the cost of state operations. A majority vote of
15 the policy board shall be required prior to all such
16 expenditures. The data processing center shall report on such
17 activities in its agency's ~~department's~~ annual performance
18 report on information ~~technology~~ resources management pursuant
19 to ~~s. 282.312~~.

20 (5) This section does not apply to those data centers
21 created pursuant to chapter 216.

22 Section 15. Section 282.318, Florida Statutes, 1996
23 Supplement, is amended to read:

24 282.318 Security of data and information technology
25 resources.--

26 (1) This section may be cited as the "Security of Data
27 and Information Technology Resources Act."

28 ~~(2) As used in this section, the term:~~

29 ~~(a) "Department" means the principal administrative~~
30 ~~unit within the executive branch of state government as~~
31 ~~defined in chapter 20. For the purposes of this section, the~~

1 ~~State Board of Administration, the Executive Office of the~~
2 ~~Governor, and the Game and Fresh Water Fish Commission shall~~
3 ~~be considered departments.~~

4 ~~(b) "Head of a department" means the individual or~~
5 ~~board in charge of the department.~~

6 ~~(c) "Information technology resources" means data~~
7 ~~processing hardware, software and services, supplies,~~
8 ~~personnel, facility resources, maintenance, training, or other~~
9 ~~related resources.~~

10 ~~(2)(3)~~(a) Each agency head ~~of a department~~ is
11 responsible and accountable for assuring an adequate level of
12 security for all data and information technology resources of
13 the agency ~~within the department~~ and, to carry out this
14 responsibility, shall, at a minimum:

15 1. Designate an information security manager who shall
16 administer the security program of the agency ~~department~~ for
17 its data and information technology resources.

18 2. Conduct, and periodically update, a comprehensive
19 risk analysis to determine the security threats to the data
20 and information technology resources of the agency. The risk
21 analysis information is confidential and exempt from the
22 provisions of s. 119.07(1), except that such information shall
23 be available to the Auditor General in performing his or her
24 postauditing duties.

25 3. Develop, and periodically update, written internal
26 policies and procedures to assure the security of the data and
27 information technology resources of the agency. The internal
28 policies and procedures which, if disclosed, could facilitate
29 the unauthorized modification, disclosure, or destruction of
30 data or information technology resources are confidential
31 information and exempt from the provisions of s. 119.07(1),

1 except that such information shall be available to the Auditor
2 General in performing his or her postauditing duties.

3 4. Implement appropriate cost-effective safeguards to
4 reduce, eliminate, or recover from the identified risks to the
5 data and information technology resources of the agency.

6 5. Ensure that periodic internal audits and
7 evaluations of the security program for the data and
8 information technology resources of the agency are conducted.
9 The results of such internal audits and evaluations are
10 confidential information and exempt from the provisions of s.
11 119.07(1), except that such information shall be available to
12 the Auditor General in performing his or her postauditing
13 duties.

14 6. Include appropriate security requirements, as
15 determined by the agency department, in the written
16 specifications for the solicitation of information technology
17 resources ~~by the department~~.

18 ~~7. Include as a part of the information resources~~
19 ~~management plan required in this chapter a general description~~
20 ~~of the existing security program and future plans for~~
21 ~~implementing information resources security policies and~~
22 ~~standards developed by the commission.~~

23 ~~8. Certify annually to the Information Resource~~
24 ~~Commission that the security program for data and information~~
25 ~~technology resources conforms with the standards and policies~~
26 ~~developed by that commission and planned for implementation in~~
27 ~~the agency strategic plan for information resources~~
28 ~~management. If the department is unable to certify such~~
29 ~~conformance, it shall notify the Information Resource~~
30 ~~Commission in writing, stating the deficiencies and the~~
31 ~~reasons for its nonconformance. As part of the annual~~

1 ~~certification process, agencies shall also note the percentage~~
2 ~~of critical applications, as defined by the agency, that have~~
3 ~~a current, tested contingency plan in the event of a disaster.~~

4 ~~(b) The Board of Regents is responsible for assuring~~
5 ~~an adequate level of security for the data and the information~~
6 ~~technology resources within the State University System. To~~
7 ~~carry out this responsibility for the State University System,~~
8 ~~the Board of Regents shall establish and maintain minimum~~
9 ~~security standards and rules to implement subparagraphs~~
10 ~~(a)1.-6. and perform the functions described in subparagraphs~~
11 ~~(d)2.-5.~~

12 ~~(c) The Supreme Court is responsible for assuring an~~
13 ~~adequate level of security for the data and the information~~
14 ~~technology resources within the judicial branch of government.~~
15 ~~To carry out this responsibility, at a minimum, the Supreme~~
16 ~~Court shall address the responsibilities prescribed in~~
17 ~~subparagraphs (a)1.-6. The Supreme Court shall develop~~
18 ~~written minimum standards and guidelines for the judicial~~
19 ~~branch to follow in developing its security program. The~~
20 ~~Supreme Court shall include as a part of the information~~
21 ~~resources management plan required by this chapter a general~~
22 ~~description of the existing security program and future plans~~
23 ~~for assuring the security of data and information technology~~
24 ~~resources.~~

25 ~~(d) The Information Resource Commission is responsible~~
26 ~~for providing centralized management and coordination of state~~
27 ~~policies relating to the security of data and information~~
28 ~~technology resources. To carry out this responsibility, the~~
29 ~~Information Resource Commission shall:~~

30 ~~1. Establish and maintain minimum security standards,~~
31 ~~rules, and regulations to implement subparagraphs (a)1.-8.~~

1 ~~2. Establish guidelines to assist agencies in~~
2 ~~identifying electronic data processing personnel who occupy~~
3 ~~positions of special trust or responsibility or sensitive~~
4 ~~locations as addressed in chapter 110.~~

5 ~~3. Establish rules and regulations for the exchange of~~
6 ~~data between data centers or departments by intercoupling or~~
7 ~~telecommunications to ensure that exchanges do not jeopardize~~
8 ~~data security and confidentiality.~~

9 ~~4. Coordinate and provide for a training program~~
10 ~~regarding security of data and information technology~~
11 ~~resources to serve the technical and managerial needs of~~
12 ~~government.~~

13 ~~5. Provide technical and managerial assistance~~
14 ~~relating to the security program upon request.~~

15 ~~6. Adopt rules to implement this section.~~

16 ~~(e) The Department of Management Services shall:~~

17 ~~1. Adopt rules and regulations for the physical~~
18 ~~security of central computer rooms consistent with the~~
19 ~~standards developed under subparagraph (d)1.~~

20 ~~(b)2.~~ In those instances in which the Department of
21 Management Services it develops state contracts for use by
22 state all agencies, the department shall include appropriate
23 security requirements, as established in paragraph (d), in the
24 specifications for the solicitation for state contracts for
25 procuring information technology resources.

26 Section 16. Section 282.322, Florida Statutes, is
27 amended to read:

28 282.322 Special monitoring process for designated
29 information resources management projects.--For each
30 information resources management project which is designated
31 for special monitoring in the General Appropriations Act, with

1 a proviso requiring a contract with a project monitor, the
2 Technology Review Workgroup established pursuant to s.
3 216.0446 ~~Information Resource Commission~~, in consultation with
4 each affected agency, ~~or the Board of Regents for each~~
5 ~~affected university~~, shall be responsible for contracting with
6 the project monitor. Upon contract award, funds equal to the
7 contract amount shall be transferred to the Technology Review
8 Workgroup ~~Information Resource Commission or the Board of~~
9 ~~Regents as appropriate~~ upon request and subsequent approval of
10 a budget amendment pursuant to s. 216.292. With the
11 concurrence of the Legislative Auditing Committee, the office
12 of the Auditor General shall be the project monitor for other
13 projects designated for special monitoring. However, nothing
14 in this section precludes the Auditor General from conducting
15 such monitoring on any project designated for special
16 monitoring. In addition to monitoring and reporting on
17 significant communications between a contracting agency and
18 the appropriate federal authorities, the project monitoring
19 process shall consist of evaluating each major stage of the
20 designated project to determine whether the deliverables have
21 been satisfied and to assess the level of risks associated
22 with proceeding to the next stage of the project. The major
23 stages of each designated project shall be determined based on
24 the agency's information systems development methodology.
25 Within 20 days after an agency has completed a major stage of
26 its designated project, the project monitor shall issue a
27 written report, including the findings and recommendations for
28 correcting deficiencies, to the agency head, for review and
29 comment. Within 20 days after receipt of the project monitor's
30 report, the agency head shall submit a written statement of
31 explanation or rebuttal concerning the findings and

1 recommendations of the project monitor, including any
2 corrective action to be taken by the agency. The project
3 monitor shall include the agency's statement in its final
4 report which shall be forwarded, within 7 days after receipt
5 of the agency's statement, to the agency head, the inspector
6 general's office of the agency, the Executive Office of the
7 Governor, the appropriations committees of the Legislature,
8 the Joint Legislative Auditing Committee, the Technology
9 Review Workgroup, and the Legislative Information Technology
10 Resource Committee. The Auditor General shall also receive a
11 copy of the project monitor's report for those projects in
12 which the Auditor General is not the project monitor.

13 Section 17. Section 282.404, Florida Statutes, 1996
14 Supplement, is amended to read:

15 282.404 Geographic information board; definition;
16 membership; creation; duties; advisory council; membership;
17 duties.--

18 (1) As used in this section, the term "geographic
19 information" means information or data for which location or
20 spatial distribution is an essential element, including, but
21 not limited to, information pertaining to:

22 (a) Land, air, water, and mineral resources;

23 (b) The distribution of plant, animal, and human
24 populations;

25 (c) Real property interests;

26 (d) The elements of the growth management
27 comprehensive planning process under ss. 163.3177 and
28 163.3178;

29 (e) Political, jurisdictional, ownership, and other
30 artificial divisions of geography; and

31

1 (f) Measured features listed in paragraphs (a)-(d)
2 herein and geographic features produced pursuant to chapter
3 472.

4 (2)(a) The Florida Geographic Information Board is
5 created in the Executive Office of the Governor. The purpose
6 of the board is to facilitate the identification,
7 coordination, collection, and sharing of geographic
8 information among federal, state, regional, and local
9 agencies, and the private sector. The board shall develop
10 ~~review and recommend to the Information Resource Commission~~
11 solutions, policies, and standards to increase the value and
12 usefulness of geographic information concerning Florida. In
13 formulating and developing solutions, policies, and standards,
14 the board shall provide for and consider input from other
15 public agencies, such as the state universities, large and
16 small municipalities, urban and rural county governments, and
17 the private sector.

18 (b) The Geographic Information Board may issue
19 guidelines on recommended best practices, including
20 recommended policies and standards, for the identification,
21 coordination, collection, and sharing of geographic
22 information.

23 (c) The Geographic Information Board may contract for,
24 accept, and make gifts, grants, loans, or other aid from and
25 to any other governmental entity and to any person. Members
26 may contribute, and the board may receive and expend, funds
27 for board initiatives.

28 (3) The board consists of the Director of Planning and
29 Budgeting within the Executive Office of the Governor, the
30 executive director of the Game and Fresh Water Fish
31 Commission, the executive director of the Department of

1 Revenue, and the State Cadastral Surveyor, as defined in s.
2 177.503, or their designees, and the heads of the following
3 agencies, or their designees: the Department of Agriculture
4 and Consumer Services, the Department of Community Affairs,
5 the Department of Environmental Protection, the Department of
6 Transportation, and the Board of Professional Surveyors and
7 Mappers. The Governor shall appoint to the board one member
8 each to represent the counties, municipalities, regional
9 planning councils, water management districts, and county
10 property appraisers. The Governor shall initially appoint two
11 members to serve 2-year terms and three members to serve
12 4-year terms. Thereafter, the terms of all appointed members
13 must be 4 years and the terms must be staggered. Members may
14 be appointed to successive terms and incumbent members may
15 continue to serve the board until a new appointment is made.
16 ~~The executive director of the Information Resource Commission,~~
17 ~~or the executive director's designee, and the chair of the~~
18 Geographic Information Advisory Council shall serve without
19 voting rights as an ex officio member ~~members~~ on the board.

20 (4) The Director of Planning and Budgeting of the
21 Executive Office of the Governor, or his or her designee,
22 shall serve as the chair of the board. A majority of the
23 membership of the board constitutes a quorum for the conduct
24 of business. The board shall meet at least twice each year,
25 and the chair may call a meeting of the board as often as
26 necessary to transact business. Administrative and clerical
27 support to the board shall be provided by the Department of
28 Management Services ~~Information Resource Commission.~~

29 (5) The board shall:

30 (a) Promote the sharing of geographic information
31 between the public sector and the private sector;

1 (b) Conduct a periodic assessment of geographic
2 information and geographic information systems in this state
3 to identify geographic information management activities and
4 available resources in this state;

5 (c) Reduce redundancy of data acquisition by promoting
6 the coordination of geographic data collection;

7 (d) Promote consistency of data elements by
8 establishing standard data definitions and formats;

9 (e) Promote the adoption and use of standards that
10 have broad application to the public and private sectors;

11 (f) Develop criteria, policies, and procedures for the
12 prescribed and preplanned electronic transmission of
13 geographic information, including, but not limited to,
14 transmissions between a local planning agency, as defined in
15 s. 163.3164, and the state land planning agency;

16 (g) By March 1 of each year, develop and approve a
17 strategic plan pursuant to the requirements set forth in s.
18 186.022(9). Copies of the plan shall be transmitted
19 electronically or in writing to the Executive Office of the
20 Governor, the Speaker of the House of Representatives, the
21 President of the Senate, and the members of the Geographic
22 Information Advisory Council as provided in subsection (7);
23 ~~Develop and submit to the Information Resource Commission a~~
24 ~~strategic information resources management plan for geographic~~
25 ~~information no later than May 1 of each even-numbered year,~~
26 ~~except that the first plan is due May 1, 1997. At a minimum,~~
27 ~~the plan must address the planning components and procedures~~
28 ~~described in s. 282.307;~~

29 (h) Promote the use and coordination of geographic
30 information from sources such as universities, government
31

1 organizations, nonprofit organizations, and the private
2 sector;

3 (i) Promote the development and maintenance of a data
4 directory in which geographic information is cataloged;

5 (j) Serve as liaison between this state and the
6 Federal Government to promote the sharing of geographic
7 information;

8 (k) Establish technical advisory committees to assist
9 the board; and

10 (l) Promote regional coordination of geographic
11 information.

12 (6) The Florida Geographic Information Advisory
13 Council is created in the Executive Office of the Governor to
14 provide technical assistance and recommendations to the board.

15 (7) The Geographic Information Advisory Council
16 consists of one member each from the Office of Planning and
17 Budgeting within the Executive Office of the Governor, the
18 Game and Fresh Water Fish Commission, the Department of
19 Revenue, ~~the Information Resource Commission,~~ the Department
20 of Agriculture and Consumer Services, the Department of
21 Community Affairs, the Department of Environmental Protection,
22 the Department of Transportation, the State Cadastral
23 Surveyor, the State Geologist, the Board of Professional
24 Surveyors and Mappers, counties, municipalities, regional
25 planning councils, water management districts, and property
26 appraisers, as appointed by the corresponding member of the
27 board. The Governor shall appoint to the council one member
28 each, as recommended by the respective organization, to
29 represent the Department of Commerce, the Department of
30 Children and Family Services, the Department of Health and
31 ~~Rehabilitative Services,~~ the Florida Survey and Mapping

1 Society, Florida Region of the American Society of
2 Photogrammetry and Remote Sensing, Florida Association of
3 Cadastral Mappers, The Florida Association of Professional
4 Geologists, Florida Engineering Society, Florida Chapter of
5 the Urban and Regional Information Systems Association, the
6 forestry industry, the State University System survey and
7 mapping academic research programs, and State University
8 System geographic information systems academic research
9 programs; and two members representing utilities, one from a
10 regional utility, and one from a local or municipal utility.
11 These persons must have technical expertise in geographic
12 information issues. The Governor shall initially appoint six
13 members to serve 2-year terms and six members to serve 4-year
14 terms. Thereafter, the terms of all appointed members must be
15 4 years and must be staggered. Members may be appointed to
16 successive terms and incumbent members may continue to serve
17 the council until a successor is appointed. Representatives of
18 the Federal Government may serve ~~without voting rights~~ as ex
19 officio members without voting rights.

20 (8) A majority of the membership constitutes a quorum
21 for the conduct of business and shall elect the chair of the
22 advisory council biennially. The council shall meet at least
23 twice a year, and the chair may call meetings as often as
24 necessary to transact business or as directed by the board.
25 Administrative and clerical support shall be provided by the
26 Department of Management Services ~~Information Resource~~
27 ~~Commission~~.

28 (9) The advisory council shall:

29 (a) Develop operational procedures for the conduct of
30 business;

31

1 (b) Make recommendations to the geographic information
2 board for policies, procedures, standards, and technical
3 solutions pertaining to the planning, coordination, sharing,
4 consistency, development, and maintenance of geographic
5 information;

6 (c) Develop solutions that promote coordinated and
7 cost-effective statewide financing of geographic information;

8 (d) Make recommendations for the reduction of
9 unnecessary duplication of geographic information efforts
10 among various state, federal, regional, and local agencies and
11 the private sector;

12 (e) Seek information from the geographic information
13 and mapping community in formulating priorities for the
14 federal and state mapping and geographic information programs
15 and activities; and

16 (f) Inform mapping and geographic information users in
17 the state of programs, available materials and information,
18 and standards and solutions pertaining to mapping and
19 geographic information.

20 (10) If any specified state agency fails to comply
21 with this section without good cause, the Executive Office of
22 the Governor may withhold releases of appropriations of those
23 portions of the agency's operating budget that pertain to the
24 collection and analysis of geographic information.

25 (11) Local governments are encouraged to participate
26 within their abilities and resources in order to facilitate
27 implementation of this section.

28 Section 18. Section 287.0735, Florida Statutes,
29 sections 282.004 and 282.312, Florida Statutes, as amended by
30 chapter 94-340, Laws of Florida, section 282.304, Florida
31 Statutes, as amended by chapters 94-226 and 94-340, Laws of

1 Florida, section 282.307, Florida Statutes, as amended by
2 chapters 94-226, 94-340, and 95-296, Laws of Florida, section
3 282.308, Florida Statutes, as amended by chapters 94-226,
4 94-340, 95-148, 95-243, and 95-392, Laws of Florida,
5 subsections (5), (6), (7) and (8) of section 287.073, Florida
6 Statutes, as amended by chapters 94-226, 94-340, and 95-148,
7 Laws of Florida, section 282.309, Florida Statutes, as amended
8 by chapters 95-148 and 96-388, Laws of Florida, sections
9 216.0445 and 282.311, Florida Statutes, as amended by chapters
10 94-226, 94-340, and 96-388, Laws of Florida, section 282.305,
11 Florida Statutes, as amended by chapters 94-226, 94-340, and
12 96-390, Laws of Florida, section 282.3062, Florida Statutes,
13 as amended by chapters 94-340, 96-388, and 96-390, Laws of
14 Florida, and sections 282.3061 and 282.314, Florida Statutes,
15 as amended by chapters 94-226, 94-340, 96-388, and 96-390,
16 Laws of Florida, are repealed.

17 Section 19. Effective upon this act becoming a law,
18 section 215.90, Florida Statutes, is amended to read:

19 215.90 Short title.--Sections 215.90-215.96 ~~This act~~
20 ~~shall be known and~~ may be cited as the "Florida Financial
21 ~~Fiscal Accounting~~ Management Information System Act."

22 Section 20. Effective upon this act becoming a law,
23 section 215.91, Florida Statutes, is amended to read:

24 215.91 Legislative intent.--

25 (1) It is the intent of the Legislature that for the
26 executive branch of government, in consultation with the
27 legislative fiscal appropriations committees, ~~to~~ specifically
28 design and implement the Florida Financial Management
29 Information System to be the primary means by which state
30 government managers acquire and disseminate the information
31

1 needed to plan and account for the delivery of services to the
2 citizens in a timely, efficient, and effective manner.

3 (2) The Florida Financial Management Information
4 System shall be a unified information system providing fiscal,
5 management, and accounting support for state decisionmakers.

6 It shall provide a means of coordinating fiscal management
7 information and information that supports state planning,
8 policy development, management, evaluation, and performance
9 monitoring. The Florida Financial Management Information
10 System shall be the primary information resource that provides
11 accountability for public funds, resources, and activities.

12 (3) The Financial Management Information Board shall
13 provide the overall framework within which the Florida
14 Financial Management Information System will operate. The
15 board, through the Florida Financial Management Information
16 System Coordinating Council, shall adopt policies and
17 procedures to:

18 (a) Strengthen and standardize the fiscal management
19 and accounting practices of the state;

20 (b) Improve internal financial controls;

21 (c) Simplify the preparation of objective, accurate,
22 and timely management and fiscal reports; and

23 (d) Provide the information needed in the development,
24 management, and evaluation of public policy and programs.

25 (4) The council shall provide ongoing counsel to the
26 board and act to resolve problems among or between the
27 functional owner subsystems. The board, through the
28 coordinating council, shall direct and manage the development,
29 implementation, and operation of the information subsystems
30 that together are the Florida Financial Management Information
31 System. The coordinating council shall approve the

1 information subsystems' designs prior to the development,
2 implementation, and operation of the subsystems and shall
3 approve subsequent proposed design modifications to the
4 information subsystems subject to the guidelines issued by the
5 council. The coordinating council shall ensure that the
6 information subsystems' operations support the exchange of
7 unified and coordinated data between information subsystems.
8 The coordinating council shall establish the common data codes
9 for financial management and it shall require and ensure the
10 use of common data codes by the information subsystems that
11 together constitute the Florida Financial Management
12 Information System. The Comptroller shall adopt a chart of
13 accounts consistent with the common financial management data
14 codes established by the coordinating council. The board,
15 through the coordinating council, shall establish the
16 financial management policies and procedures for the executive
17 branch of state government. The coordinating council shall
18 notify in writing the chairs of the legislative fiscal
19 committees and the Chief Justice of the Supreme Court
20 regarding the adoption of, or modification to, a proposed
21 financial management policy or procedure. The notice shall
22 solicit comments from the chairs of the legislative fiscal
23 committees and the Chief Justice of the Supreme Court at least
24 14 consecutive days before the final action by the
25 coordinating council.

26 (5) The Florida Financial Management Information
27 System and its functional owner information subsystems shall
28 be compatible with the legislative appropriations system and
29 they shall be designed to support the legislative oversight
30 function. The Florida Financial Management Information System
31 and its functional owner information subsystems shall be

1 unified with the legislative information systems that support
2 the legislative appropriations and legislative oversight
3 functions. The Florida Financial Management Information
4 System and its functional owner information subsystems shall
5 exchange information with the legislative information systems
6 that support the legislative appropriations and legislative
7 oversight functions without conversion or modification. Any
8 information maintained by the Florida Financial Management
9 Information System and its functional owner information
10 subsystems shall be available, upon request, to the
11 information systems of the legislative branch.

12 (6) The Florida Financial Management Information
13 System and its functional owner information subsystems shall
14 be designed to incorporate the flexibility needed to respond
15 to the dynamic demands of state government in a cost-conscious
16 manner. The Florida Financial Management Information System
17 shall include applications that will support an information
18 retrieval system that will allow the user to ask general
19 questions and receive accurate answers that include
20 assessments concerning the qualifications of the data.

21 (7) The Florida Financial Management Information
22 System and each of its functional owner information subsystems
23 shall strive to employ a common set of operations that make
24 the system accessible to agency program managers and statewide
25 decisionmakers. Data shall be easily transferred from the
26 functional owner information subsystems to Florida Financial
27 Management Information System applications and also among the
28 functional owner information subsystems. The functional owner
29 information subsystems shall identify shared data-gathering
30 needs in order to minimize the duplications of source-entry
31 input. The coordinating council shall ensure that all

1 organizations within the executive branch of state government
2 have access to and use the Florida Financial Management
3 Information System for the collection, processing, and
4 reporting of financial management data required for the
5 efficient and effective operation of state government.

6 (8) The Florida Financial Management Information
7 System, through its functional owner subsystems, shall include
8 a data-gathering and data-distribution facility that will
9 support a management and decisionmaking information system
10 that collects and stores agency and statewide financial,
11 administrative, planning, and program information to assist
12 agency program managers and statewide decisionmakers in
13 carrying out their responsibilities ~~a management information~~
14 ~~system utilizing a unified approach. The system is to~~
15 ~~strengthen and standardize management and accounting~~
16 ~~procedures; strengthen internal controls; enable the~~
17 ~~preparation of objective, accurate, and timely fiscal reports;~~
18 ~~report on the stewardship of officials who are responsible for~~
19 ~~public funds and property; and provide timely and accurate~~
20 ~~information for decisionmaking purposes.~~

21 Section 21. Effective upon this act becoming a law,
22 section 215.92, Florida Statutes, is amended to read:

23 215.92 Definitions.--For the purposes of ss.
24 215.90-215.96 ~~this act:~~

25 (1) "Auditable" means the presence of features and
26 characteristics that are needed to verify the proper
27 functioning of controls in any given information subsystem.

28 (2) "Board" means the Financial Management Fiscal
29 Accounting Information Board.

30
31

1 (3) "Coordinating council" or "council" means the
2 Florida Financial Management Information System Coordinating
3 Council.

4 (4)(3) "Data or data code" means representation of
5 facts, concepts, or instructions in a formalized manner
6 suitable for communication, interpretation, or processing by
7 humans or by automatic means. The term includes any
8 representations such as characters or analog quantities to
9 which meaning is, or might be, assigned.~~a set of symbols~~
10 ~~which are used to represent various data items for data~~
11 ~~elements on a one-for-one basis.~~

12 ~~(4) "Data record" means information which is processed~~
13 ~~or stored, or is to be processed, by a computer system, which~~
14 ~~may exist in any form, whether it be computer printouts,~~
15 ~~magnetic storage media, or internal storage in the memory of~~
16 ~~the computer.~~

17 (5) "Design and coordination staff" means the
18 personnel responsible for providing administrative and
19 clerical support to the board, coordinating council, and
20 secretary to the board. The design and coordination staff
21 shall function as the agency clerk for the board and the
22 coordinating council. For administrative purposes, the design
23 and coordination staff are assigned to the Department of
24 Banking and Finance but they are functionally assigned to the
25 board.

26 (6)(5) "Functional owner" means the agency, or that
27 part of the judicial branch, which has the legal
28 responsibility to design, implement, and operate an
29 information subsystem as provided by ss. 215.90-215.96 ~~this~~
30 act.

31

1 (7)(6) "Functional system specifications" means the
2 detailed written description of an information subsystem.
3 These specifications are prepared by the functional owner of
4 the system; describe, in the functional owner's language, what
5 an information subsystem is required to do; and describe the
6 features, characteristics, controls, and internal control
7 measures to be incorporated into the information subsystem.
8 Such specifications are the basis for the preparation of the
9 technical system specifications by the functional owner.

10 (8)(7) "Information system" means a group of
11 interrelated information subsystems.

12 (9)(8) "Information subsystem" means the entire
13 collection of procedures, equipment, and people devoted to the
14 generation, collection, evaluation, storage, retrieval, and
15 dissemination of data and information within an organization
16 or functional area in order to promote the flow of information
17 from source to user.

18 ~~(9) "Overall costs" with respect to an electronic data~~
19 ~~processing system means the cost of designing, implementing,~~
20 ~~and operating such system and includes, but is not limited to,~~
21 ~~the cost of purchase, rental, maintenance, site preparation~~
22 ~~and installation, programming, employment and training of~~
23 ~~personnel, conversion, and communication lines.~~

24 Section 22. Effective upon this act becoming a law,
25 section 215.93, Florida Statutes, is amended to read:

26 215.93 Florida Financial ~~Fiscal Accounting~~ Management
27 Information System.--

28 (1) To provide the information necessary to carry out
29 the intent of the Legislature, there shall be a Florida
30 Financial ~~Fiscal Accounting~~ Management Information System.
31 The Florida Financial ~~Fiscal Accounting~~ Management Information

1 System shall be fully implemented and shall be upgraded as
2 necessary to ensure the efficient operation of an integrated
3 financial management information system and to provide
4 necessary information for the effective operation of state
5 government. Upon the recommendation of the coordinating
6 council and approval of the board, the Florida Financial
7 Management Information System may require data from any state
8 agency information system or information subsystem or may
9 request data from any judicial branch information system or
10 information subsystem that the coordinating council and board
11 have determined to have statewide financial management
12 significance. Each functional owner information subsystem
13 within the Florida Financial Management Information System
14 shall be developed in such a fashion as to allow for timely,
15 positive, preplanned, and prescribed data transfers between
16 the Florida Financial Management Information System functional
17 owner information subsystems and from other information
18 systems. The principal unit of the system shall be the
19 functional owner information subsystem, and the system shall
20 originally include, but shall not be limited to, the
21 following:

- 22 ~~(a) Revenue and Regulations Subsystem.~~
23 (a)(b) Planning and Budgeting Subsystem.
24 ~~(b)(c) Florida Accounting Information Resource State~~
25 ~~Automated Management Accounting Subsystem.~~
26 ~~(c)(d) Cash Management Banking and Collateral~~
27 ~~Securities Subsystem.~~
28 ~~(d)(e) Management Services and Purchasing Subsystem.~~
29 (e)(f) Cooperative Personnel Employment State
30 ~~Personnel Payroll Information Subsystem.~~
31 ~~(g) Investment and Debt Control Subsystem.~~

1 (2) Each information subsystem shall have a functional
2 owner, who may establish additional functions ~~components~~ for
3 the subsystem unless specifically prohibited by ss.
4 215.90-215.96 ~~this act~~. However, without the express approval
5 of the board upon recommendation of the coordinating council,
6 no functional owner nor any other agency shall have the
7 authority to establish or maintain additional subsystems which
8 duplicate any of the information subsystems of the Florida
9 Financial ~~Fiscal Accounting~~ Management Information System.
10 Each functional owner shall solicit input and responses from
11 agencies utilizing the information subsystem. Each functional
12 owner may contract with the other functional owners for
13 assistance in the design, development, and implementation of
14 their information systems and subsystems. Each functional
15 owner shall include in its information subsystem functional
16 specifications the data requirements and standards of the
17 Florida Financial Management Information System as approved by
18 the board. Each functional owner shall establish design teams
19 that shall plan and coordinate the design and implementation
20 of its subsystem within the framework established by the
21 board. The design teams shall assist the design and
22 coordination staff in carrying out the duties assigned by the
23 board or the coordinating council. The coordinating council
24 shall review and approve the work plans for these projects.

25 (3) The Florida Financial ~~Fiscal Accounting~~ Management
26 Information System shall include financial management data and
27 utilize identical data codes and the chart of accounts
28 approved by the Comptroller used by the State Automated
29 Management Accounting Subsystem. Common financial management
30 data shall include, but not be limited to, data codes, titles,
31 and definitions used by one or more of the functional owner

1 subsystems. The Florida Financial Management Information
2 System shall utilize common financial management data codes.
3 The council shall recommend and the board shall adopt policies
4 regarding the approval and publication of the financial
5 management data. The Comptroller shall adopt policies
6 regarding the approval and publication of the chart of
7 accounts. The Comptroller's chart of accounts shall be
8 consistent with the common financial management data codes
9 established by the coordinating council. Further, all systems
10 not a part of the Florida Financial ~~Fiscal Accounting~~
11 Management Information System which provide information to the
12 system shall use the common ~~identical~~ data codes from ~~and~~ the
13 Florida Financial Management Information System and the
14 Comptroller's chart of accounts of the State Automated
15 Management Accounting Subsystem. Data codes that ~~which~~ cannot
16 be supplied by the Florida Financial Management Information
17 System and the Comptroller's chart of accounts ~~State Automated~~
18 Management Accounting System and that ~~which~~ are required for
19 use by the information subsystems shall be approved by the
20 board upon recommendation of the coordinating council.
21 However, board approval shall not be required for those data
22 codes specified by the Auditor General under the provisions of
23 s. 215.94(6)(8)(c).

24 (4) The Florida Financial ~~Fiscal Accounting~~ Management
25 Information System shall be designed, installed, and operated
26 in a fashion compatible with the legislative appropriations
27 system, ~~so as to provide timely data for producing financial~~
28 ~~statements for the state in accordance with generally accepted~~
29 ~~accounting principles.~~

30 (5) Functional owners are legally responsible for the
31 security and integrity ~~validity~~ of all data records existing

1 within or transferred from their information subsystems. Each
2 agency and the judicial branch shall be responsible for the
3 accuracy of the information entered into the Florida Financial
4 Management Information System.

5 Section 23. Effective upon this act becoming a law,
6 section 215.94, Florida Statutes, is amended to read:

7 215.94 Designation, duties, and responsibilities of
8 functional owners.--

9 ~~(1) The Department of Revenue shall be the functional~~
10 ~~owner of the Revenue and Regulation Subsystem. The department~~
11 ~~shall design, implement, and operate the subsystem in~~
12 ~~accordance with the provisions of this act. The subsystem~~
13 ~~shall include, but shall not be limited to, components for:~~

14 ~~(a) Collecting detailed information regarding all~~
15 ~~revenues received by the state.~~

16 ~~(b) Compiling and reporting statistical data for the~~
17 ~~estimation or projection of agency and judicial branch revenue~~
18 ~~sources in future periods.~~

19 (1)(2) The Executive Office of the Governor shall be
20 the functional owner of the Planning and Budgeting Subsystem,
21 which shall be designed, implemented, and operated in
22 accordance with the provisions of ss. 215.90-215.96 ~~this act~~
23 and chapter 216. The Planning and Budgeting Subsystem shall
24 include, but shall not be limited to, functions ~~components~~
25 for:

26 (a) Development and preparation of agency and judicial
27 branch budget requests.

28 (b) Analysis and evaluation of agency and judicial
29 branch budget requests and alternatives.

30 ~~(c) Cash forecasting.~~

31 ~~(d) Revenue and expenditure projections.~~

1 ~~(c)(e)~~ Controlling and tracking the allocation of
2 appropriations, approved budget, and releases.

3 ~~(d)(f)~~ Performance-based program budgeting compliance
4 evaluations, as provided in the legislative budget
5 instructions pursuant to s. 216.023(3). ~~Budgetary performance~~
6 ~~and compliance valuations.~~

7 ~~(2)(3)~~ The Department of Banking and Finance shall be
8 the functional owner of the Florida Accounting Information
9 Resource State Automated Management Accounting Subsystem
10 established pursuant to ss. 11.46, 17.03, and 216.141, and
11 216.151 and further developed in accordance with the
12 provisions of ss. 215.90-215.96 ~~this act~~. The subsystem shall
13 include, but shall not be limited to, the following functions
14 ~~components~~:

15 ~~(a) Departmental, agency, or judicial branch~~
16 Accounting and reporting so as to provide timely data for
17 producing financial statements for the state in accordance
18 with generally accepted accounting principles.

19 ~~(b) Auditing and settling claims against the state~~
20 ~~Cost accounting.~~

21 ~~(c) Production control.~~

22 ~~(d) State or central accounting and reporting.~~

23 ~~(e) Warrant preparation.~~

24 ~~(3)(4)~~ The Treasurer shall be the functional owner of
25 the Cash Management ~~Banking and Collateral Securities~~
26 Subsystem. The Treasurer shall design, implement, and operate
27 the subsystem in accordance with the provisions of ss.
28 215.90-215.96 ~~this act~~. The subsystem shall include, but
29 shall not be limited to, functions ~~components~~ for:

30 ~~(a) Recording and reconciling credits and debits to~~
31 treasury fund accounts.

1 (b) Monitoring cash levels and activities in state
2 bank accounts.

3 (c) Monitoring short-term investments of idle cash.

4 (d) Administering the provisions of the Federal Cash
5 Management Improvement Act of 1990 ~~Recording and monitoring~~
6 ~~securities pledged to and administered by the office of the~~
7 ~~Treasurer.~~

8 ~~(4)(5)~~ The Department of Management Services shall be
9 the functional owner of the ~~Management Services~~ and Purchasing
10 Subsystem. The department shall design, implement, and
11 operate the subsystem in accordance with the provisions of ss.
12 215.90-215.96 ~~this act~~. The subsystem shall include, but
13 shall not be limited to, functions ~~components~~ for:

14 ~~(a)~~ commodity and service procurement, ~~inventory~~
15 ~~control, and warehousing.~~

16 ~~(b)~~ Facilities management and utilization.

17 ~~(c)~~ Construction bidding and monitoring.

18 ~~(d)~~ Controlling and operating centralized equipment
19 ~~pools.~~

20 ~~(5)(6)~~ The Department of Management Services shall be
21 the functional owner of the Cooperative State Personnel
22 Employment Payroll Information Subsystem. The department
23 shall design, implement, and operate the subsystem in
24 accordance with the provisions of s. 110.116 and ss.
25 215.90-215.96 ~~this act~~. The subsystem shall include, but
26 shall not be limited to, functions ~~components~~ for:

27 (a) Maintenance of employee and position data,
28 including funding sources and percentages and salary lapse.
29 The employee data shall include, but not be limited to,
30 information to meet the payroll system requirements of the
31 Department of Banking and Finance and to meet the employee

1 benefit system requirements of the Division of State Employees
2 Insurance in the Department of Management Services.

3 (b) Recruitment and examination.

4 (c) Time reporting.

5 (d) Collective bargaining ~~Retirement contributions and~~
6 ~~certification.~~

7 ~~(7) The State Board of Administration shall be the~~
8 ~~functional owner of the Investment and Debt Control Subsystem.~~
9 ~~The State Board of Administration shall design, implement, and~~
10 ~~operate the subsystem in accordance with the provisions of~~
11 ~~this act. The subsystem shall include, but shall not be~~
12 ~~limited to, components for:~~

13 ~~(a) Recording purchases and liquidations of the~~
14 ~~investments administered by the State Board of Administration.~~

15 ~~(b) Monitoring and evaluating the yield or return on~~
16 ~~state investments.~~

17 ~~(c) Recording the sale of, the payment of interest on,~~
18 ~~and the redemption of state-supported bond issues.~~

19 ~~(d) Monitoring state-supported bond issues so that the~~
20 ~~contractual and legal requirements relative to the bond issues~~
21 ~~are met.~~

22 (6)(8)(a) The Auditor General shall be advised by the
23 functional owner of each information subsystem as to the date
24 that the development or significant modification of its
25 functional system specifications is to begin.

26 (b) Upon such notification, the Auditor General shall
27 participate with each functional owner to the extent necessary
28 to provide assurance that:

29 1. The accounting information produced by the
30 information subsystem adheres to generally accepted accounting
31 principles.

1 2. The information subsystem contains the necessary
2 controls to maintain its integrity, within acceptable limits
3 and at an acceptable cost.

4 3. The information subsystem is auditable.

5 (c) The Auditor General shall specify those additional
6 features, characteristics, controls, and internal control
7 measures deemed necessary to carry out the provisions of this
8 subsection. Further, it shall be the responsibility of each
9 functional owner to install and incorporate such specified
10 features, characteristics, controls, and internal control
11 measures within each information subsystem.

12 (7) The Auditor General shall provide to the board and
13 the coordinating council the findings and recommendations of
14 any audit regarding the provisions of ss. 215.90-215.96.

15 Section 24. Effective upon this act becoming a law,
16 section 215.95, Florida Statutes, is amended to read:

17 215.95 Financial Management ~~Fiscal Accounting~~
18 Information Board.--

19 (1) There is created, as part of the Administration
20 Commission, the Financial Management ~~Fiscal Accounting~~
21 Information Board. The board shall be composed of the
22 Governor, the Comptroller, and the Treasurer. The Governor
23 shall be chair of the board. The Governor or the Comptroller
24 may call a meeting of the board at any time the need arises.

25 (2) To carry out its duties and responsibilities, the
26 board shall by majority vote:

27 (a) Adopt such rules, policies, procedures,
28 principles, and standards as deemed necessary to implement the
29 Florida Financial ~~Fiscal Accounting~~ Management Information
30 System.

31

1 (b) Oversee the actions of the coordinating council
2 and issue orders to executive branch agencies to enforce
3 implementation of and compliance with provisions relating to
4 the Florida ~~Financial Fiscal Accounting~~ Management Information
5 System.

6 (c) Manage and oversee the development of the Florida
7 Financial Management Information System in such a fashion
8 including, but not limited to, ensuring ~~as to ensure~~
9 compatibility and integration with the Legislative
10 Appropriations System.

11 (d) By March 1 of each year, approve a strategic plan
12 pursuant to the requirements set forth in s. 186.022(9).
13 ~~Submit to the Joint Legislative Auditing Committee an annual~~
14 ~~report containing, but not limited to, the following:~~

- 15 1. ~~Current status of all information subsystems.~~
16 2. ~~Detailed plans related to all information~~
17 ~~subsystems provided for in s. 215.96(3)(a).~~

18 Section 25. Effective upon this act becoming a law,
19 section 215.96, Florida Statutes, is amended to read:

20 215.96 Coordinating council and design and
21 coordination staff.--

22 (1) The Comptroller, as chief fiscal officer of the
23 state, shall establish a coordinating council to function on a
24 continuing basis. The coordinating council shall review and
25 recommend to the board solutions and policy alternatives to
26 ensure coordination between functional owners of the various
27 information subsystems described in ss. 215.90-215.96 ~~this act~~
28 ~~to the extent necessary to unify all the subsystems into a~~
29 financial ~~fiscal accounting~~ management information system.

30 (2) The coordinating council shall consist of the
31 Comptroller; the Treasurer; the secretary of the Department of

1 Management Services; and the Director of Planning and
2 Budgeting, Executive Office of the Governor; ~~the executive~~
3 ~~director of the Department of Revenue; and the executive~~
4 ~~director of the State Board of Administration~~, or their
5 designees. The Comptroller, or his or her designee, shall be
6 chair of the coordinating council and the design and
7 coordination staff shall provide administrative and clerical
8 support to the council and the board. The design and
9 coordination staff ~~Comptroller~~ shall maintain the minutes of
10 each meeting and shall make such minutes available to any
11 interested person. The Auditor General, the State Courts
12 Administrator, an executive officer of the Florida Association
13 of State Administrative Services Directors, and an executive
14 officer of the Florida Association of State Budget Officers,
15 ~~and the executive director of the Information Resource~~
16 ~~Commission~~, or their designees, shall serve without voting
17 rights as ex officio members on the coordinating council. The
18 chair may call meetings of the coordinating council as often
19 as necessary to transact business; however, the coordinating
20 council shall meet at least once a year. Action of the
21 coordinating council shall be by motion, duly made, seconded
22 and passed by a majority of the coordinating council voting in
23 the affirmative for approval of items that are to be
24 recommended for approval to the Financial Management
25 Information Board.

26 (3) The coordinating council, assisted by the design
27 and coordination staff, shall have the following duties,
28 powers, and responsibilities pertaining to the Florida
29 Financial Fiscal Accounting Management Information System:

30 (a) To conduct such studies and to establish
31 committees, workgroups, and teams to develop recommendations

1 for rules, policies, procedures, principles, and standards to
2 the board as necessary to assist the board in its efforts
3 ~~establish an information resources management plan to design,~~
4 implement, and perpetuate a financial fiscal accounting
5 management information system, including, but not limited to,
6 the establishment of common data codes, the development of
7 integrated financial management policies that address the
8 information and management needs of the functional owner
9 subsystems, and the development of a strategic plan pursuant
10 to the requirements set forth in s. 186.022(9). At a minimum,
11 ~~the plan shall address the planning components described in s.~~
12 ~~282.307(1). The plan shall be established and approved by the~~
13 ~~board no later than March 1 of each even-numbered year. The~~
14 coordinating council shall make available forward a copy of
15 the approved plan in writing or through electronic means to
16 each of the coordinating council members ~~the Information~~
17 ~~Resource Commission, the Executive Office of the Governor, the~~
18 fiscal appropriations committees of the Legislature, the Joint
19 Legislative Information Technology Resources Committee, and
20 any interested person ~~each department as defined in s.~~
21 ~~282.303.~~

22 (b) To recommend to the board solutions, and policy
23 alternatives, and legislative budget request issues that will
24 ensure a framework for the timely, positive, preplanned, and
25 prescribed data transfer between information subsystems and to
26 recommend to the board solutions, policy alternatives, and
27 legislative budget request issues that ensure the availability
28 of data and information that support state planning, policy
29 development, management, evaluation, and performance
30 monitoring.

31

1 (c) To report to the board all actions taken by the
2 coordinating council for final action.

3 (d) To review the annual work plans of the functional
4 owner information subsystems by October 1 of each year. The
5 review shall be conducted to assess the status of the Florida
6 Financial Management Information System and the functional
7 owner subsystems in regard to the provisions of s. 215.91.
8 The coordinating council, as part of the review process, may
9 make recommendations for modifications to the functional owner
10 information subsystems annual work plans.

11 Section 26. Effective upon this act becoming a law,
12 section 216.141, Florida Statutes, is amended to read:

13 216.141 Budget system procedures; planning and
14 programming by state agencies.--

15 (1) The Executive Office of the Governor, in
16 consultation with the appropriations committees of the Senate
17 and House of Representatives ~~and the Auditor General~~, and by
18 utilizing the Florida Financial Management Information System
19 management data and the Comptroller's chart of accounts coding
20 ~~system of the State Automated Management Accounting Subsystem~~,
21 shall prescribe a planning and budgeting system, pursuant to
22 s. 215.94(1)(2), to provide for continuous planning and
23 programming and for effective management practices for the
24 efficient operations of all state agencies and the judicial
25 branch. However, the planning and budgeting system shall be
26 limited to the processing of information related to ss.
27 216.023, 216.0235, 216.031, 216.043, ~~216.102, 216.111,~~
28 216.121, 216.181, 216.182, and 216.192 and those applications
29 relating to part I of chapter 23 and part I of chapter 252
30 which are funded by the Legislature. The Executive Office of
31 the Governor may contract with the Legislature to develop the

1 planning and budgeting system and to provide services to the
2 Legislature for the support and use of the legislative
3 appropriations system. The contract shall include the
4 policies and procedures for combining the legislative
5 appropriations system with the planning and budgeting
6 information system established pursuant to s. 215.94(1). At a
7 minimum, the contract shall require the use of common data
8 codes. The combined legislative appropriations and planning
9 and budgeting information subsystem shall support the
10 legislative appropriations and legislative oversight functions
11 without data code conversion or modification.

12 (2) The Florida Management Information Board
13 ~~Comptroller~~ shall notify the Auditor General of any changes or
14 modifications to the Florida Financial Management Information
15 System and its functional owner information subsystems ~~State~~
16 ~~Automated Management Accounting Subsystem.~~

17 (3) The Comptroller, as chief fiscal officer, shall
18 use the Florida Accounting Information Resource Subsystem
19 developed pursuant to s. 215.94(2) for account purposes in the
20 performance of and accounting for all of his or her
21 constitutional and statutory duties and responsibilities.
22 However, state agencies and the judicial branch continue to be
23 responsible for maintaining accounting records necessary for
24 effective management of their programs and functions.

25 Section 27. Health Information Systems Council;
26 legislative intent; creation, appointment, duties.--

27 (1) The Legislature finds that it is in the state's
28 interest to create a council consisting of executive-level
29 managers for the state's health-related entities, to
30 facilitate the sharing and coordination of health-related
31 data.

1 (2) There is created a Health Information Systems
2 Council in the Department of Health to facilitate the
3 identification, collection, standardization, sharing, and
4 coordination of health-related data, including fraud and abuse
5 data, and professional and facility licensing data among
6 federal, state, local, and private entities. The Department
7 of Health shall provide administrative support to the council.

8 (3) The council shall be composed of the following
9 members or their senior executive-level designees:

10 (a) The secretary of the Department of Health;

11 (b) The secretary of the Department of Business and
12 Professional Regulation;

13 (c) The secretary of the Department of Children and
14 Family Services;

15 (d) The director of the Agency for Health Care
16 Administration;

17 (e) The secretary of the Department of Corrections;

18 (f) The Attorney General;

19 (g) The executive director of the Correctional Medical
20 Authority;

21 (h) Two members representing county health
22 departments, one from a small county and one from a large
23 county, appointed by the Governor; and

24 (i) A representative from the Florida Association of
25 Counties.

26
27 Representatives of the Federal Government may serve without
28 voting rights.

29 (4) Members of the council who are appointed by the
30 Governor shall serve 2-year terms beginning January 1 through
31 December 31, except that their initial term shall be July 1,

1 1997, through December 31, 1998. A member may be removed by
2 the Governor for cause or if such member is absent from three
3 consecutive meetings. Any member appointed to fill a vacancy
4 shall serve for the unexpired term of his or her predecessor.

5 (5) The council shall annually elect its chair and
6 other officers. The council shall meet at least quarterly or
7 at the call of its chair, at the request of a majority of its
8 membership, or at the request of a department. All actions
9 taken by the council shall be based upon approval by a simple
10 majority.

11 (6) Members of the council shall be reimbursed for per
12 diem and travel expenses as provided in s. 112.061, Florida
13 Statutes.

14 (7) The council's duties and responsibilities include,
15 but are not limited to, the following:

16 (a) By March 1 of each year, to develop and approve a
17 strategic plan pursuant to the requirements set forth in s.
18 186.022(9), Florida Statutes. Copies of the plan shall be
19 transmitted electronically or in writing to the Executive
20 Office of the Governor, the Speaker of the House of
21 Representatives, and the President of the Senate.

22 (b) To develop a mission statement, goals, and plan of
23 action, based on the guiding principles specified in s.
24 282.3032, Florida Statutes, for the identification,
25 collection, standardization, sharing, and coordination of
26 health-related data across federal, state, and local
27 government and private-sector entities.

28 (c) To create ad hoc issue-oriented technical
29 workgroups, on an as-needed basis, to make recommendations to
30 the council.

31

1 Section 28. Paragraphs (a) and (b) of subsection (13)
2 of section 20.19, Florida Statutes, 1996 Supplement, are
3 amended to read:

4 20.19 Department of Children and Family
5 Services.--There is created a Department of Children and
6 Family Services.

7 (13) INFORMATION SYSTEMS.--

8 (a) The secretary shall appoint a Chief ~~Management~~
9 Information Officer ~~to serve as the department's information~~
10 ~~resource manager~~ with the authority for agency development and
11 management information systems maintenance, policies, and
12 procedures as provided for in chapter 282 s. 282.311. The
13 Chief ~~Management~~ Information Officer shall direct and promote
14 information as a strategic asset and facilitate integration of
15 data systems and agency and interagency resource sharing as
16 allowed by applicable statutes. The Chief ~~Management~~
17 Information Officer serves at the pleasure of the secretary.

18 (b) The Chief ~~Management~~ Information Officer is
19 directly responsible for the management of the management
20 information systems service center that provides primary
21 information systems support for all entities within the
22 department and maintains fee-for-service provisions for use by
23 other agencies. The Chief ~~Management~~ Information Officer shall
24 negotiate service-level agreements between the management
25 information systems service center and users and shall
26 facilitate integrated information systems practices and
27 procedures throughout the service districts and with local
28 service providers.

29 Section 29. Paragraph (c) of subsection (6) of section
30 20.316, Florida Statutes, 1996 Supplement, is amended to read:

31

1 20.316 Department of Juvenile Justice.--There is
2 created a Department of Juvenile Justice.

3 (6) INFORMATION SYSTEMS.--

4 (c) The department shall implement a distributed
5 system architecture which shall be defined in its agency
6 strategic plan ~~pursuant to s. 282.307.~~

7 Section 30. Subsections (2) and (6) of section 20.41,
8 Florida Statutes, are amended to read:

9 20.41 Department of Elderly Affairs.--There is created
10 a Department of Elderly Affairs.

11 (2) The department shall plan and administer its
12 programs and services through planning and service areas as
13 designated by the Legislature ~~department~~.

14 (6) In accordance with the federal Older Americans Act
15 of 1965, as amended, the department shall designate and
16 contract with area agencies on aging in each of the
17 department's planning and service areas. Area agencies on
18 aging shall ensure a coordinated and integrated provision of
19 long-term care services to the elderly and shall ensure the
20 provision of prevention and early intervention services. The
21 department shall have overall responsibility for information
22 system planning. The department shall ensure, through the
23 development of equipment, software, data, and connectivity
24 standards, the ability to share and integrate information
25 collected and reported by the area agencies in support of
26 their contracted obligations to the state. ~~Information system~~
27 ~~plans developed in support of the area agencies shall be~~
28 ~~included in the department's strategic information resource~~
29 ~~management plan, as required by s. 282.307.~~

30
31

1 Section 31. Paragraph (b) of subsection (1) of section
2 112.3145, Florida Statutes, 1996 Supplement, is amended to
3 read:

4 112.3145 Disclosure of financial interests and clients
5 represented before agencies.--

6 (1) For purposes of this section, unless the context
7 otherwise requires, the term:

8 (b) "Specified state employee" means:

9 1. Public counsel created by chapter 350, an assistant
10 state attorney, an assistant public defender, a full-time
11 state employee who serves as counsel or assistant counsel to
12 any state agency, a judge of compensation claims, an
13 administrative law judge, or a hearing officer.

14 2. Any person employed in the office of the Governor
15 or in the office of any member of the Cabinet if that person
16 is exempt from the Career Service System, except persons
17 employed in clerical, secretarial, or similar positions.

18 3. Each appointed secretary, assistant secretary,
19 deputy secretary, executive director, assistant executive
20 director, or deputy executive director of each state
21 department, commission, board, or council; unless otherwise
22 provided, the division director, assistant division director,
23 deputy director, bureau chief, and assistant bureau chief of
24 any state department or division; or any person having the
25 power normally conferred upon such persons, by whatever title.

26 4. The superintendent or institute director of a state
27 mental health institute established for training and research
28 in the mental health field or the superintendent or director
29 of any major state institution or facility established for
30 corrections, training, treatment, or rehabilitation.

31

1 5. Business managers, purchasing agents having the
2 power to make any purchase exceeding \$1,000, finance and
3 accounting directors, personnel officers, or grants
4 coordinators for any state agency.

5 ~~6. Any voting member of the Information Technology~~
6 ~~Resource Procurement Advisory Council established in the~~
7 ~~Department of Management Services by s. 287.073.~~

8 6.7. Any person, other than a legislative assistant
9 exempted by the presiding officer of the house by which the
10 legislative assistant is employed, who is employed in the
11 legislative branch of government, except persons employed in
12 maintenance, clerical, secretarial, or similar positions.

13 7.8. Each employee of the Commission on Ethics.

14 Section 32. Subsection (8) of section 216.031, Florida
15 Statutes, is amended to read:

16 216.031 Budgets for operational expenditures.--A
17 legislative budget request, reflecting the independent
18 judgment of the head of the state agency, and of the Chief
19 Justice of the Supreme Court, with respect to the needs of the
20 agency and the judicial branch for operational expenditures
21 during the next fiscal year, shall be submitted by each head
22 of a state agency and by the Chief Justice of the Supreme
23 Court and shall contain the following:

24 (8) An information resources management schedule
25 showing the agency's or judicial branch's total budget request
26 for information resources management. The schedule shall be
27 in the format provided for in the legislative budget
28 instructions. The budget request for information resources
29 management shall identify, if applicable, which parts of the
30 request are in response to any information resources
31 management issues included in the legislative budget

1 instructions pursuant to ~~s. 282.305(1)~~. This subsection is
2 applicable only to those state agencies which are under the
3 purview of ss. 282.303-282.313 and to the judicial branch.

4 Section 33. Subsections (5), (6), and (10) of section
5 216.235, Florida Statutes, are amended to read:

6 216.235 Innovation Investment Program; definitions;
7 intent; State Innovation Committee; responsibilities;
8 procedures for innovative project submission, review,
9 evaluation, and approval; criteria to be considered.--

10 (5) Except as otherwise provided in this act,
11 innovative project proposals shall be submitted to the
12 department no later than August 1. The department shall
13 prescribe the format for proposals submitted pursuant to this
14 section. Such proposals shall include, but not be limited to:

15 (a) The identification of a specific innovative
16 project.

17 (b) The name of the innovative project administrator.

18 (c) A cost/benefit analysis.

19 (d) A plan to be used by the agency in evaluating the
20 outcomes of the innovative project upon implementation.

21 (e) A summary of how the innovative project produces a
22 cost savings for the agency or improves the quality of the
23 public services delivered by the agency.

24

25 All proposals shall have the approval of the agency head, the
26 agency's budget director, the agency's inspector general or
27 internal auditor, and, if the proposal involves information
28 technology resources, the agency's Chief Information Officer
29 ~~information resource manager~~ prior to submission to the
30 department.

31

1 (6) Any agency submitting a proposal for an innovative
2 project that involves information technology resources shall
3 submit a draft proposal to the State Innovation Committee or
4 its designee ~~Information Resource Commission~~ for review and
5 consultation no later than June 1 and a final proposal no
6 later than July 1. In addition to the requirements of
7 subsection (5), such proposals shall include:

8 (a) The identification of the specific project, as
9 defined in s. 282.303.

10 (b) A statement as to the innovative project's
11 consistency with the agency's strategic plan ~~for information~~
12 ~~resources management~~.

13 (c) The business case, which shall include how the
14 funds are to be used, what specific processes will be
15 affected, and how savings for improved efficiency of
16 operations are to be achieved.

17 (d) A planning and analysis methodology that provides
18 a high level of confidence in successful implementation.

19 (e) If applicable, a description of the
20 transferability of the technology to other agencies.

21
22 Based on the components required by this subsection to be
23 included in innovative project proposals, the State Innovation
24 Committee or its designee ~~Information Resource Commission~~
25 shall evaluate the innovative project's technical feasibility
26 and ~~shall~~ make recommendations to the review board. Proposals
27 that involve the innovative application of information
28 technology resources that have a transferable benefit to other
29 agencies shall receive greater consideration by the committee
30 or its designee ~~Information Resource Commission~~ than those
31 applications that do not have a transferable benefit.

1 (10) The department shall monitor and evaluate the
2 implementation of innovative projects to determine if the
3 anticipated results were achieved. For innovative projects
4 involving information technology resources, the agency's Chief
5 Information Officer ~~Information Resource Commission~~ shall
6 assist the department in monitoring and evaluating the
7 implementation of the innovative project, and determining
8 whether the anticipated results were achieved.

9 Section 34. Section 216.236, Florida Statutes, is
10 amended to read:

11 216.236 Innovation Investment Program; funding;
12 recordkeeping and reporting.--The amount of \$1 million of any
13 funds appropriated from the General Revenue Fund for the
14 purpose of funding the Innovation Investment Program shall be
15 available on a payback basis. Innovative project proposals
16 funded on a payback basis shall include the requirements of s.
17 216.235(5) and, if applicable, s. 216.235(6), and shall be
18 submitted to the department no later than May 15. The State
19 Innovation Committee or its designee ~~Agencies submitting an~~
20 ~~innovative project proposal involving information technology~~
21 ~~resources shall not be required to submit a draft proposal to~~
22 ~~the Information Resource Commission; however, the Information~~
23 ~~Resource Commission~~ shall review and evaluate such proposal as
24 to its technical feasibility. Funds for the innovative project
25 shall be available to the agency on July 1. Any of such funds
26 which are not awarded by July 1 shall be used for funding
27 innovative projects submitted for funding pursuant to section
28 3. Loans made under this section shall be repaid, without
29 interest, from savings realized by the agency as a result of
30 implementing the innovative project by no later than July 30
31 of the following fiscal year in which the funds were received

1 by the agency. Any agency awarded funds pursuant to this
2 section shall maintain detailed accounting records showing all
3 expenses, loan transfers, savings, or other financial actions
4 concerning the project. Any savings realized as a result of
5 implementing the innovative project shall be quantified,
6 validated, and verified by the agency. By July 1 of the
7 following fiscal year in which the funds were received, a
8 final report of the results of the implementation of each
9 innovative project shall be submitted by each participating
10 agency to the Governor's Office of Planning and Budgeting and
11 the legislative appropriations committees, along with a budget
12 amendment to reimburse the General Revenue Fund.

13 Section 35. Subsection (16) of section 287.042,
14 Florida Statutes, 1996 Supplement, is amended to read:

15 287.042 Powers, duties, and functions.--The division
16 shall have the following powers, duties, and functions:

17 (16)(a) To enter into joint agreements with
18 governmental agencies, as defined in s. 163.3164(10), for the
19 purpose of pooling funds for the purchase of commodities,
20 information technology resources, or services that can be used
21 by multiple agencies. However, the department may consult
22 with the State Technology Office on joint agreements that
23 involve the purchase of information technology resources ~~must~~
24 ~~be coordinated with the Information Resource Commission. The~~
25 ~~Information Resource Commission may also provide~~
26 ~~administrative and technical support for those agreements~~
27 ~~involving the purchase of information technology resources, or~~
28 ~~the division may delegate complete authority for joint~~
29 ~~agreements involving information technology resources to the~~
30 ~~commission.~~ Agencies entering into joint purchasing
31 agreements with the division ~~or the Information Resource~~

1 ~~Commission, as appropriate,~~ shall authorize the division or
2 ~~commission~~ to contract for such purchases on their behalf.

3 (b) Each agency that has been appropriated or has
4 existing funds for such purchases, shall, upon contract award
5 by the division, transfer their portion of the funds into the
6 division's Grants and Donations Trust Fund for payment by the
7 division. These funds shall be transferred by the Executive
8 Office of the Governor pursuant to the agency budget amendment
9 request provisions in chapter 216.

10 ~~(c) Notwithstanding paragraph (b), for joint~~
11 ~~agreements for information technology resources purchases that~~
12 ~~have been delegated by the division to the Information~~
13 ~~Resource Commission, agencies that have been appropriated or~~
14 ~~have existing funds for information technology resources~~
15 ~~purchases shall, upon contract award by the commission,~~
16 ~~transfer their portion of the funds into the Information~~
17 ~~Resource Commission's Grants and Donations Trust Fund for~~
18 ~~payment by the commission. These funds shall be transferred~~
19 ~~by the Executive Office of the Governor pursuant to the agency~~
20 ~~budget amendment request provisions in chapter 216.~~

21 (c)(d) Agencies that sign such joint agreements are
22 financially obligated for their portion of the agreed-upon
23 funds. If any agency becomes more than 90 days delinquent in
24 paying such funds, the Department of Management Services ~~or~~
25 ~~the Information Resource Commission, as applicable,~~ shall
26 certify to the Comptroller the amount due, and the Comptroller
27 shall transfer the amount due to the Grants and Donations
28 Trust Fund of the division ~~or the Information Resource~~
29 ~~Commission, as appropriate,~~ from any of the agency's available
30 funds. The Comptroller shall report all such transfers and
31

1 the reasons for such transfers to the Executive Office of the
2 Governor and the legislative appropriations committees.

3 Section 36. Subsection (1) of section 287.073, Florida
4 Statutes, is amended to read:

5 287.073 Procurement of information technology
6 resources.--

7 (1) For the purposes of this section, the term+

8 (a) "Information technology resources" has the same
9 meaning ascribed in s. 282.303(13).~~means data processing~~
10 ~~hardware, software, services, supplies, personnel, facility~~
11 ~~resources, maintenance, and training but does not include~~
12 ~~those process control devices excluded from such definition by~~
13 ~~rule of the Information Resource Commission.~~

14 ~~(b) "Total cost" means all costs associated with the~~
15 ~~information technology resource, including, but not limited~~
16 ~~to, value of hardware, software or service, maintenance,~~
17 ~~incremental personnel, and facilities. Total cost of a loan or~~
18 ~~gift of information technology resources to an agency includes~~
19 ~~the fair market value of the resources, except that the total~~
20 ~~cost of loans or gifts of information technology resources to~~
21 ~~state universities to be used in instruction or research does~~
22 ~~not include fair market value.~~

23 Section 37. Subsection (3) is added to section 943.08,
24 Florida Statutes, 1996 Supplement, to read:

25 943.08 Duties; Criminal and Juvenile Justice
26 Information Systems Council.--

27 (3) The council shall develop and approve a strategic
28 plan pursuant to the requirements set forth in s. 186.022(9).
29 Copies of the approved plan shall be transmitted,
30 electronically or in writing, to the Executive Office of the
31

1 Governor, the Speaker of the House of Representatives, the
2 President of the Senate, and the council members.

3 Section 38. The current staff of the Information
4 Resource Commission, which is abolished by this act, shall be
5 afforded priority consideration for any positions created by
6 the reorganization pursuant to the provisions of this act or
7 for other vacant positions in state government in accordance
8 with s. 20.02(7), Florida Statutes.

9 Section 39. All records, including electronic and
10 paper records, of each entity abolished by this act must be
11 appropriately stored within 30 days after the date of the
12 abolishment of the entity, except that records of the
13 Information Resource Commission may be transferred to the
14 State Technology Office upon request of the office.

15 Section 40. The administrative rules of the
16 Information Resource Commission shall remain in effect until
17 June 30, 1998, at which time such rules are repealed unless
18 the Executive Office of the Governor issues a memorandum that
19 conflicts with an existing administrative rule of the
20 Information Resource Commission prior to that date, which
21 memorandum shall prevail to the extent of a conflict. However,
22 the judicial and legislative branches, the State University
23 System, and the Community College System are not bound by any
24 existing administrative rules adopted by the Information
25 Resource Commission.

26 Section 41. All unexpended appropriations resulting
27 from the repeal of the Information Resource Commission, which
28 were designated for special monitoring pursuant to s. 282.322,
29 Florida Statutes, shall be transferred by a type two transfer
30 to the Technology Review Workgroup established pursuant to s.
31 216.0446, Florida Statutes.

1 Section 42. The Division of Statutory Revision of the
2 Joint Legislative Management Committee may prepare a reviser's
3 bill to conform any cross-references that are necessary as a
4 result of this act.

5 Section 43. Except as otherwise provided herein, this
6 act shall take effect July 1, 1997.

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