

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; amending s. 112.3145, F.S.;
24 removing voting members of the Information
25 Technology Resource Procurement Advisory
26 Council from the definition of "specified state
27 employee"; amending s. 216.031, F.S.;
28 correcting a cross-reference; amending ss.
29 216.235 and 216.236, F.S., to conform; amending
30 s. 287.042, F.S., relating to the powers,
31 duties, and functions of the Division of

1 Purchasing of the Department of Management
2 Services, to conform; amending s. 287.073,
3 F.S.; conforming the definition of "information
4 technology resources"; amending s. 943.08,
5 F.S.; requiring the Criminal and Juvenile
6 Justice Information Systems Council to develop
7 and approve an annual strategic plan; requiring
8 that the current staff of the Information
9 Resource Commission be given priority
10 consideration for vacant or new positions;
11 providing for storage of records and requiring
12 that the records of the Information Resource
13 Commission be transferred to the State
14 Technology Office; providing for the repeal of
15 the administrative rules of the Information
16 Resource Commission on June 30, 1998; providing
17 for the transfer of specified unexpended
18 appropriations to the Technology Review
19 Workgroup; providing for a reviser's bill;
20 providing a definition; specifying the types of
21 information to be included in the collaborative
22 systems; specifying participants in the
23 collaborative systems; requiring a steering
24 committee to govern each collaborative system;
25 requiring a system security plan; authorizing
26 collaborative system members to share client
27 information; imposing restrictions to protect
28 confidential client information; encouraging
29 participation in the collaborative systems;
30 providing effective dates.
31

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

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

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

(2) The committee shall:

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

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

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

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

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

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

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

3 120.52 Definitions.--As used in this act:

4 (15) "Rule" means each agency statement of general
5 applicability that implements, interprets, or prescribes law
6 or policy or describes the procedure or practice requirements
7 of an agency and includes any form which imposes any
8 requirement or solicits any information not specifically
9 required by statute or by an existing rule. The term also
10 includes the amendment or repeal of a rule. The term does not
11 include:

12 (c) The preparation or modification of:

13 1. Agency budgets.

14 2. Statements, memoranda, or instructions to state
15 agencies issued by the Comptroller as chief fiscal officer of
16 the state and relating or pertaining to claims for payment
17 submitted by state agencies to the Comptroller.

18 3. Contractual provisions reached as a result of
19 collective bargaining.

20 4. Memoranda issued by the Executive Office of the
21 Governor relating to information resources management.

22 Section 3. Subsections (1), (2), and (4) of section
23 186.021, Florida Statutes, are amended to read:

24 186.021 State agency strategic plans.--

25 (1) A state agency strategic plan shall be a statement
26 of the priority directions an agency will take to carry out
27 its mission within the context of the state comprehensive plan
28 and any other statutory mandates and authorizations given to
29 the agency. Each state agency strategic plan must identify
30 infrastructure needs, capital improvement needs, and
31 information resources management projects or initiatives that

1 involve more than one agency, that have an outcome that
2 impacts another agency, or that exceed \$500,000 in total cost
3 over a 1-year period. Each agency strategic plan ~~needs~~
4 ~~associated with agency programs and~~ shall specify those
5 objectives against which will be judged the agency's
6 achievement of its goals and the goals of the state
7 comprehensive plan. The state agency strategic plan shall be
8 consistent with and shall further the goals of the state
9 comprehensive plan.

10 (2) A state agency strategic plan shall be developed
11 with a 5-year outlook and shall provide the strategic
12 framework within which an agency's legislative budget request
13 is ~~and the agency Strategic Information Resource Management~~
14 ~~Plan are~~ developed. An agency's budget ~~and its Strategic~~
15 ~~Information Resource Management Plan~~ shall be designed to
16 further the agency's strategic plan.

17 (4) The Department of Environmental Protection, with
18 regard to the plan required by s. 373.036, and the state land
19 planning agency, with regard to the plan defined in s.
20 380.031(17), ~~and the Information Resource Commission, with~~
21 ~~regard to the plan defined in s. 282.3061,~~ shall prepare
22 revisions to such plans no later than 6 months after the
23 adoption of revisions to the growth management portion of the
24 state comprehensive plan or by June 1 of each even-numbered
25 year, whichever is later.

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

29 186.022 State agency strategic plans; preparation,
30 form, and review.--

31

1 (3) The Executive Office of the Governor shall review
2 the state agency strategic plans to ensure that they are
3 consistent with the state comprehensive plan and other
4 requirements as specified in the written instructions. In its
5 review, the Executive Office of the Governor shall consider
6 all comments received in formulating required revisions. This
7 shall include:

8 (a) The findings of the Statewide Health Council's
9 review of the consistency of the health components of agency
10 strategic plans with the health element of the state
11 comprehensive plan;

12 (b) The findings of the Technology Review Workgroup as
13 to the consistency of the information resources management
14 portion of agency strategic plans with the State Annual Report
15 on Information Resources Management and statewide policies
16 recommended by the State Technology Council ~~review of the~~
17 ~~Information Resource Commission with respect to the strategic~~
18 ~~information resources management issues not covered under~~
19 ~~paragraph (d); and~~

20 (c) The findings of the Criminal and Juvenile Justice
21 Information Systems Council's review with respect to public
22 safety system strategic information ~~technology~~ resources
23 management issues.

24
25 Within 60 days, reviewed plans shall be returned to the
26 agency, together with any required revisions. However, any
27 required revisions relating to information resources
28 management needs identified in the agency strategic plans are
29 subject to the notice and review procedures set forth in s.
30 216.177 and must be approved by the Administration Commission
31

1 for the executive branch and the Chief Justice for the
2 judicial branch.

3 (9) By March 1 of each year, the Geographic
4 Information Board, the Financial Management Information Board,
5 the Criminal and Juvenile Justice Information Systems Council,
6 and the Health Information Systems Council shall each develop
7 a strategic plan following the general statutory requirements
8 that are applicable to agencies pursuant to s. 186.021(1),
9 (2), and (3). The strategic plan shall be subject to the
10 requirements, and the review and approval processes, set forth
11 in subsections (2) through (7), with the following exceptions:

12 (a) The Executive Office of the Governor, after
13 consultation with the President of the Senate and Speaker of
14 the House of Representatives, may prescribe a specific format
15 and content for the strategic plans of coordinating boards and
16 councils.

17 (b) The time periods for review and return of any
18 required strategic plan revisions, incorporation of such
19 revisions by the boards or councils, and resolution of
20 disputes shall be established by the Executive Office of the
21 Governor, after consultation with the President of the Senate
22 and the Speaker of the House of Representatives.

23 Section 5. Section 216.0446, Florida Statutes, is
24 created to read:

25 216.0446 Review of information resources management
26 needs.--

27 (1) The Executive Office of the Governor may contract
28 with the Legislature to provide a mechanism for review of and
29 recommendations with respect to the portion of agencies'
30 strategic plans which pertains to information resources
31 management needs and with respect to agencies' legislative

1 budget requests for information resources management. This
2 mechanism shall be referred to as the Technology Review
3 Workgroup, which shall be headed by a senior-level manager.

4 (2) In addition to its primary duty specified in
5 subsection (1), the Technology Review Workgroup shall have
6 powers and duties that include, but are not limited to, the
7 following:

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

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

21 (c) To make recommendations to the Executive Office of
22 the Governor on guidelines and best practices for information
23 resources management based on information received from the
24 State Technology Council.

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

29 216.181 Approved budgets for operations and fixed
30 capital outlay.--

31

1 (4) All amendments to the original approved operating
2 budgets, regardless of funding source, are subject to the
3 notice and review procedures set forth in s. 216.177 and must
4 be approved by the Governor and Administration Commission as
5 provided in this chapter for the executive branch and the
6 Chief Justice for the judicial branch if the amendment is for
7 an information resources management project or initiative that
8 involves more than one agency, has an outcome that impacts
9 another agency, or exceeds \$500,000 in total cost over a
10 1-year period.

11 Section 7. Section 282.003, Florida Statutes, 1996
12 Supplement, is amended to read:

13 282.003 Short title.--This chapter may be cited as the
14 "Information ~~Technology~~ Resources Management Act of 1997
15 ~~1996~~."

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

18 282.005 Legislative findings and intent.--The
19 Legislature finds that:

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

22 (2) The state makes significant investments in
23 information technology resources in order to manage
24 information and to provide services to its citizens.

25 (3) The head of each state agency has primary
26 responsibility and accountability for the planning, budgeting,
27 acquisition, development, implementation, use, and management
28 of information technology resources within the agency.

29 (4) The expanding need for, use of, and dependence on
30 information technology resources requires focused management
31

1 attention and managerial accountability by state agencies and
2 the state as a whole.

3 (5) The agency head has primary responsibility for the
4 agency's information technology resources and for their use in
5 accomplishing the agency's mission. However, each agency
6 shall also use its information technology resources in the
7 best interests of the state as a whole and thus contribute to
8 and make use of shared data and related resources whenever
9 appropriate.

10 (6) The state shall provide, by whatever means is most
11 cost-effective and efficient, the information resources
12 management infrastructure needed to collect, store, and
13 process the state's data and information, provide
14 connectivity, and facilitate the exchange of data and
15 information among both public and private parties.

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

20 (8) To ensure the best management of the state's
21 information technology resources, and notwithstanding other
22 provisions of law to the contrary, the functions of
23 information resources management are hereby assigned to the
24 Board of Regents as the agency responsible for the development
25 and implementation of policy, planning, management,
26 rulemaking, standards, and guidelines for the State University
27 System; to the State Board of Community Colleges as the agency
28 responsible for establishing and developing rules and policies
29 for the State Community College System; to the Supreme Court,
30 for the judicial branch; and to each state attorney and public
31 defender.

1 Section 9. Section 282.303, Florida Statutes, is
2 amended to read:

3 282.303 Definitions.--For the purposes of ss.
4 282.303-282.322, the term:

5 (1) "Agency" means those entities described in chapter
6 216.

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

10 ~~"Commission" means the Information Resource Commission as~~
11 ~~created by s. 282.304.~~

12 (3) "Chief Information Officer" means the person
13 appointed by the agency head to coordinate and manage the
14 information resources management policies and activities
15 within that agency.~~"Common applications" means separately~~
16 ~~identifiable information technology resources that are used to~~
17 ~~support an objective and are shared statewide or agencywide.~~

18 (4) "Chief Information Officers Council" means the
19 council created in s. 282.315 to facilitate the sharing and
20 coordination of information resources management issues and
21 initiatives among the agencies.~~"Common data structure" means~~
22 ~~logical data items or attributes that are shared statewide or~~
23 ~~agencywide.~~

24 (5) "State Technology Office" means the office created
25 in s. 282.3093 to support specified information resource
26 management activities and to facilitate educational and
27 training opportunities.~~"Computing component" means the part~~
28 ~~of the agency's technology architecture for supporting its~~
29 ~~data processing hardware and the agency's strategy to~~
30 ~~facilitate common applications.~~

31

1 (6) "Data processing hardware" means information
2 technology equipment designed for the automated storage,
3 manipulation, and retrieval of data by electronic or
4 mechanical means, or both, and includes, but is not limited
5 to, central processing units, front-end processing units,
6 including miniprocessors and microprocessors, and related
7 peripheral equipment such as data storage devices, document
8 scanners, data entry, terminal controllers and data terminal
9 equipment, computer-related word processing systems, and
10 equipment and systems for computer networks.

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

14 (8) "Data processing software" means the programs and
15 routines used to employ and control the capabilities of data
16 processing hardware, including, but not limited to, operating
17 systems, compilers, assemblers, utilities, library routines,
18 maintenance routines, applications, and computer networking
19 programs.

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

23 ~~"Department" means the principal administrative unit within~~
24 ~~the executive branch of state government as defined in chapter~~
25 ~~20. For the purposes of ss. 282.303-282.313, the State Board~~
26 ~~of Administration, the Executive Office of the Governor, and~~
27 ~~the Game and Fresh Water Fish Commission shall be considered~~
28 ~~departments.~~

29 (10) "State Annual Report on Information Resources
30 Management" means the report prepared by the State Technology
31 Office as defined in s. 282.3093. ~~"Executive director" means~~

1 ~~the executive director of the Information Resource Commission~~
2 ~~as provided in s. 282.304.~~

3 (11) "Project" means an undertaking directed at the
4 accomplishment of a strategic objective relating to
5 information resources management or a specific appropriated
6 program. ~~"Information architecture" means the set of common~~
7 ~~applications and common data structures that are planned to~~
8 ~~support statewide or agency objectives.~~

9 (12) "Information resources management" means the
10 planning, budgeting, acquiring, developing, organizing,
11 directing, training, and control associated with government
12 information resources. The term encompasses information and
13 related resources, as well as the controls associated with
14 their acquisition, development, dissemination, and use.

15 (13) "Information technology resources" means data
16 processing hardware and software and services, communications,
17 supplies, personnel, facility resources, maintenance, and
18 training. ~~The commission shall determine, by rule, the~~
19 ~~process control devices to be excluded from this definition.~~

20 (14) "Information resources management infrastructure"
21 means the hardware, software, networks, data, human resources,
22 policies, standards, and facilities that are required to
23 support the business processes of an agency. ~~"Infrastructure~~
24 ~~component" means the training, personnel, facilities, and~~
25 ~~administrative support for implementing the agency's computing~~
26 ~~and network components of the technology architecture.~~

27 (15) "Technology Review Workgroup" means the workgroup
28 created in s. 216.0446 to review and make recommendations on
29 agencies' information resource management planning and
30 budgeting proposals. ~~"Manager" means the information resource~~
31 ~~manager appointed by each department.~~

1 (16) "Total cost" means all costs associated with
2 information resources management projects or initiatives,
3 including, but not limited to, value of hardware, software,
4 service, maintenance, incremental personnel, and facilities.
5 Total cost of a loan or gift of information technology
6 resources to an agency includes the fair market value of the
7 resources, except that the total cost of loans or gifts of
8 information technology resources to state universities to be
9 used in instruction or research does not include fair market
10 value. ~~"Network component" means the framework for employing~~
11 ~~data communications resources in support of the agency's~~
12 ~~technology architecture, including local and wide area network~~
13 ~~capabilities, and the agency's strategy for facilitating~~
14 ~~common application access to common data structures.~~

15 ~~(17) "Project" means an undertaking directed at the~~
16 ~~accomplishment of a strategic objective relating to~~
17 ~~information resources management or a specific appropriated~~
18 ~~program.~~

19 ~~(18) "Reporting requirement" means a statutory~~
20 ~~provision that specifically requires a state governmental~~
21 ~~entity to prepare or have prepared on a regular or periodic~~
22 ~~basis a written account or record for the purpose of informing~~
23 ~~persons outside of the state governmental entity of matters~~
24 ~~relevant to the official business of the state governmental~~
25 ~~entity. The term does not include requirements for the~~
26 ~~preparation of legislative budget requests or the preparation~~
27 ~~of brochures, newsletters, handbooks, manuals, pamphlets,~~
28 ~~flyers, directories, or other similar documents.~~

29 ~~(19) "State governmental entity" means any department,~~
30 ~~agency, or other unit of organization of the executive branch~~
31 ~~of state government, a unit of organization of the legislative~~

1 ~~branch of state government, a unit of organization of the~~
2 ~~judicial branch of state government, the State Board of~~
3 ~~Community Colleges, the Board of Regents, and the Public~~
4 ~~Service Commission.~~

5 Section 10. Sections 282.3031, 232.3032, 282.3041,
6 282.3055, 282.3063, 282.3091, 282.3093, 282.310 and 282.315,
7 Florida Statutes, are created to read:

8 282.3031 Assignment of information resources
9 management responsibilities.--For purposes of ss.
10 282.303-282.322, to ensure the best management of state
11 information technology resources, and notwithstanding other
12 provisions of law to the contrary, the functions of
13 information resources management are hereby assigned to the
14 Board of Regents as the agency responsible for the development
15 and implementation of policy, planning, management,
16 rulemaking, standards, and guidelines for the State University
17 System; to the State Board of Community Colleges as the agency
18 responsible for establishing and developing rules and policies
19 for the State Community College System; to the Supreme Court
20 for the judicial branch; and to each state attorney and public
21 defender.

22 282.3032 Development and implementation of information
23 systems; guiding principles.--To ensure the best management of
24 the state's information technology resources, the following
25 guiding principles are adopted:

26 (1) Cooperative planning by state governmental
27 entities is a prerequisite for the effective development and
28 implementation of information systems to enable sharing of
29 data.

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

4 (3) State governmental entities should be committed to
5 maximizing information sharing and moving away from
6 proprietary positions taken relative to data they collect and
7 maintain.

8 (4) State governmental entities should maximize public
9 access to data, while complying with legitimate security,
10 privacy, and confidentiality requirements.

11 (5) State governmental entities should strive for
12 electronic sharing of information via networks to the extent
13 possible.

14 (6) To the extent that state government entities
15 charge each other for data, this practice, insofar as
16 possible, should be eliminated. Further, when the capture of
17 data for mutual benefit can be accomplished, the costs for the
18 development, capture, and network for access to that data
19 should be shared.

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

22 (8) Only data that are auditable, or that otherwise
23 can be determined to be accurate, valid, and reliable, should
24 be maintained.

25 (9) Methods of sharing data among different protocols
26 should be developed without requiring major redesign or
27 replacement of individual systems.

28 (10) Consistency of data elements should be achieved
29 by establishing standard data definitions and formats when
30 possible.

31

1 282.3041 State agency responsibilities.--The head of
2 each state agency is responsible and accountable for
3 information resources management within the agency in
4 accordance with legislative intent and as defined in this
5 chapter.

6 282.3055 Agency Chief Information Officer;
7 appointment; duties.--

8 (1)(a) To assist the agency head in carrying out the
9 information resources management responsibilities, the agency
10 head shall appoint or contract for a Chief Information Officer
11 at a level commensurate with the role and importance of
12 information technology resources in the agency. This position
13 may be full time or part time.

14 (b) The Chief Information Officer must, at a minimum,
15 have knowledge and experience in both management and
16 information technology resources.

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

19 (a) Coordinating and facilitating agency information
20 resources management projects and initiatives.

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

23 (c) Developing and implementing agency information
24 resources management policies, procedures, and standards,
25 including specific policies and procedures for review and
26 approval of the agency's purchases of information technology
27 resources.

28 (d) Advising agency senior management as to the
29 information resources management needs of the agency for
30 inclusion in planning documents required by law.

31

1 (e) Assisting in the development and prioritization of
2 the information resources management schedule of the agency's
3 legislative budget request.

4 282.3063 Agency Annual Information Resources
5 Management Report.--

6 (1) By November 1 of each year, and for the State
7 University System within 90 days after completion of the
8 expenditure analysis developed pursuant to s. 240.271(4), each
9 Chief Information Officer shall prepare and submit to the
10 State Technology Office an Agency Annual Information Resources
11 Management Report. Following consultation with the State
12 Technology Council and the Chief Information Officers Council,
13 the Executive Office of the Governor and the fiscal committees
14 of the Legislature shall jointly develop and issue
15 instructions for the format and contents of the report.

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

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

20 (b) A description of the current information resources
21 management infrastructure of the agency and planned changes
22 for the ensuing 2 years.

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

25 (d) An assessment of the progress made toward
26 implementing the prior fiscal year legislative appropriation
27 to the agency for information resources management.

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

30 (f) An inventory list, by major categories, of the
31 agency information technology resources, which specifically

1 identifies the resources acquired during the previous fiscal
2 year.

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

6 (h) A list of information resources management issues
7 the agency has identified as statewide issues or critical
8 information resources management issues for which the State
9 Technology Council could provide future leadership or
10 assistance.

11 282.3091 State Technology Council; creation.--

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

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

21 (3) The council shall be composed of nine members as
22 follows:

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

25 (b) The Comptroller.

26 (c) The Commissioner of Education.

27 (d) The Secretary of State.

28 (e) The secretary of the Department of Management
29 Services.

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

31

1 (g) Two private sector representatives, one appointed
2 by the Speaker of the House of Representatives and one
3 appointed by the President of the Senate, who are not current
4 members of the Legislature. Private sector representatives
5 shall, at a minimum, have a general knowledge of or experience
6 in managing information technology resources. However,
7 representatives of information technology resource vendors or
8 any of their subsidiaries that sell products or services to
9 the state shall not be appointed to serve as a private sector
10 representative.

11 (4) Members of the council who are appointed shall
12 serve 2-year terms beginning January 1 through December 31,
13 except that their initial term shall be July 1, 1997, through
14 December 31, 1998. A member may be removed by the appointing
15 officer for cause or if such member is absent from three
16 consecutive meetings. Any member appointed to fill a vacancy
17 shall serve for the unexpired term of his or her predecessor.

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

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

25 (7) The council shall have the following duties and
26 responsibilities:

27 (a) To develop a statewide vision for information
28 resources management which shall be reflected in the State
29 Annual Report on Information Resources Management.
30
31

1 (b) To recommend statewide policies to the Executive
2 Office of the Governor and to the Joint Legislative
3 Information Technology Resource Committee.

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

7 (d) To identify, develop, and recommend solutions to
8 address statewide technology issues to the Executive Office of
9 the Governor and the Joint Legislative Information Technology
10 Resource Committee.

11 (e) To create ad hoc issue-oriented workgroups to make
12 recommendations to the council and to the Executive Office of
13 the Governor. Such workgroups may include private and public
14 sector representatives.

15 (f) To review, evaluate, and comment on proposals by
16 the Joint Legislative Information Technology Resource
17 Committee.

18 (g) To consult with the Chief Information Officers
19 Council.

20 (h) To approve the State Annual Report on Information
21 Resources Management.

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

24 282.3093 State Technology Office; legislative intent;
25 powers and duties.--

26 (1) It is the intent of the Legislature that an office
27 be created to provide support to specified organizations and
28 workgroups and to facilitate state educational and training
29 opportunities to enhance the state's use and management of
30 information technology resources.

31

1 (2) There is created a State Technology Office in the
2 Department of Management Services, which shall be headed by a
3 senior-level manager, who may be in the Senior Management
4 Service upon determination by the Department of Management
5 Services that the duties and responsibilities of the office
6 are comparable to other Senior Management Service positions.

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

9 (a) Advising and providing administrative support to
10 the State Technology Council.

11 (b) Providing administrative support to the Chief
12 Information Officers Council.

13 (c) Providing administrative support for ad hoc
14 issue-oriented workgroups created by the State Technology
15 Council.

16 (d) Providing assistance, as needed, to the Technology
17 Review Workgroup.

18 (e) Facilitating state educational and training
19 opportunities for senior management, chief information
20 officers, and agency technical staff.

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

24 (g) Preparing, publishing, and disseminating the State
25 Annual Report on Information Resources Management pursuant to
26 s. 282.310.

27 282.310 State Annual Report on Information Resources
28 Management.--

29 (1) By March 1 of each year, the State Technology
30 Office shall develop a State Annual Report on Information
31 Resources Management.

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

3 (a) The state vision for information resource
4 management.

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

7 (c) A summary of major statewide policies recommended
8 by the State Technology Council for information resources
9 management.

10 (d) A summary of memoranda issued by the Executive
11 Office of the Governor.

12 (e) An assessment of the overall progress on state
13 information resources management initiatives and priorities
14 for the past fiscal year.

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

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

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

21 (i) A summary of the opportunities for government
22 agencies or entities to share information resource management
23 projects or initiatives with other governmental or private
24 sector entities.

25 (j) A list of the information resource management
26 issues that have been identified as statewide or critical
27 issues for which the State Technology Council could provide
28 leadership or assistance.

29
30 The state annual report shall also include information
31 resources management information from the annual reports

1 prepared by the Board of Regents for the State University
2 System, from the State Board of Community Colleges for the
3 State Community College System, from the Supreme Court for the
4 judicial branch, and from each state attorney and public
5 defender. Expenditure information shall be taken from each
6 agency's annual report as well as the annual reports of the
7 Board of Regents, the State Board of Community Colleges, the
8 Supreme Court, the state attorneys, and the public defenders.

9 (3) The state annual report shall be made available in
10 writing or through electronic means to the Executive Office of
11 the Governor, the President of the Senate, the Speaker of the
12 House of Representatives, the Joint Legislative Information
13 Technology Resource Committee, and the Chief Justice of the
14 Supreme Court.

15 282.315 Chief Information Officers Council;
16 creation.--The Legislature finds that enhancing communication,
17 consensus building, coordination, and facilitation of
18 statewide information resources management issues is essential
19 to improving state management of such resources.

20 (1) There is created a Chief Information Officers
21 Council to:

22 (a) Enhance communication among the Chief Information
23 Officers of state agencies by sharing information resources
24 management experiences and exchanging ideas.

25 (b) Facilitate the sharing of best practices that are
26 characteristic of highly successful technology organizations,
27 as well as exemplary information technology applications of
28 state agencies.

29 (c) Identify efficiency opportunities among state
30 agencies.

31

1 (d) Serve as an educational forum for information
2 resources management issues.

3 (e) Assist the State Technology Council in identifying
4 critical statewide issues and, when appropriate, make
5 recommendations for solving information resources management
6 deficiencies.

7 (2) Members of the council shall include the Chief
8 Information Officers of all state agencies, including the
9 Chief Information Officers of the agencies and governmental
10 entities enumerated in s. 282.3031, except that there shall be
11 one Chief Information Officer selected by the state attorneys
12 and one Chief Information Officer selected by the public
13 defenders. The chairs, or their designees, of the Geographic
14 Information Board, the Florida Financial Management
15 Information System Coordinating Council, the Criminal and
16 Juvenile Justice Information Systems Council, and the Health
17 Information Systems Council shall represent their respective
18 organizations on the Chief Information Officers Council as
19 voting members.

20 (3) The State Technology Office shall provide
21 administrative support to the council.

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

24 282.102 Powers and duties of Division of
25 Communications of the Department of Management Services.--The
26 Division of Communications of the Department of Management
27 Services shall have the following powers, duties, and
28 functions:

29 (1) To publish electronically the portfolio of
30 services available from the division, including pricing
31 information; the policies and procedures of the division

1 governing usage of available services; and a forecast of the
2 priorities and initiatives for the state communications system
3 for the ensuing 2 years. The division shall provide a hard
4 copy of its portfolio of services upon request.

5 Section 12. Section 282.1021, Florida Statutes, is
6 hereby repealed.

7 Section 13. Section 282.20, Florida Statutes, is
8 amended to read:

9 282.20 Technology Resource Center.--

10 (1)(a) The Division of Information Services of the
11 Department of Management Services shall operate and manage the
12 Technology Resource Center.

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

14 1. "Department" means the Department of Management
15 Services.

16 2. "Division" means the Division of Information
17 Services of the Department of Management Services.

18 3. "Information-system utility" means a full-service
19 information-processing facility offering hardware, software,
20 operations, integration, networking, and consulting services
21 to state agencies.

22 (2) The division and the Technology Resource Center
23 shall:

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

26 (b) ~~Cooperate with the Information Resource Commission~~
27 ~~and with other state agencies to~~ Offer, develop, and support a
28 wide range of services and applications needed by users of the
29 Technology Resource Center.

30 (c) Cooperate with the Florida Legal Resource Center
31 of the Department of Legal Affairs and other state agencies to

1 develop and provide access to repositories of legal
2 information throughout the state.

3 (d) Cooperate with the Division of Communications of
4 the department to facilitate interdepartmental networking and
5 integration of network services for state agencies.

6 (e) Assist state agencies in testing and evaluating
7 new and emerging technologies that could be used to meet the
8 needs of the state.

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

12 (4)(a) There is created for the Technology Resource
13 Center a data processing policy board as provided in s.
14 282.313.

15 (b) In addition to the members of the policy board
16 provided in s. 282.313, the following ex officio members are
17 appointed to the data processing policy board of the
18 Technology Resource Center: ~~the Executive Director of the~~
19 ~~Information Resource Commission~~, the Director of the Division
20 of Communications of the Department of Management Services,
21 and the chair of the coordinating council to the Florida
22 Fiscal Accounting Management Information System, as created in
23 s. 215.96, or their respective designees. The ex officio
24 members provided in this subsection shall vote and serve in
25 the same manner as other policy board members.

26 (5) The Technology Resource Center may plan, design,
27 establish pilot projects for, and conduct experiments with
28 information technology resources, and may implement
29 enhancements in services when such implementation is
30 cost-effective. Funding for experiments and pilot projects
31 shall be derived from service revenues and may not exceed 5

1 percent of the service revenues for the Technology Resource
2 Center for any fiscal year. Any experiment, pilot project,
3 plan, or design must be approved by the data processing policy
4 board of the center.

5 (6) Notwithstanding the provisions of s. 216.272, the
6 Technology Resource Center may spend the funds in the reserve
7 account of its working capital trust fund for enhancements to
8 center operations or for information technology resources. Any
9 expenditure of reserve account funds must be approved by the
10 data processing policy board of the center. Any funds
11 remaining in the reserve account at the end of the fiscal year
12 may be carried forward and spent as approved by the policy
13 board.

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

16 282.313 Data processing policy boards.--

17 (1) There is created a data processing policy board
18 for each data processing center which derives 20 percent or
19 more of its total yearly funding from departments other than
20 the host department for the center. The Chief Information
21 Officer ~~information resource manager~~ of each department
22 utilizing the center, or his or her designee, shall serve as
23 the representative on the policy board. The data center
24 director shall serve in a nonvoting ex officio capacity. A
25 designee of the director or the supervisor of the data
26 processing center shall serve without voting rights as the
27 secretary to the policy board. The secretary shall maintain
28 minutes of each policy board meeting. Upon approval of the
29 minutes by the policy board, the secretary shall file a copy
30 with the commission. The policy board shall annually elect a
31

1 chair from its membership and shall meet at the call of the
 2 chair or at the request of a majority of the members.

3 (2) Each data processing center shall review its
 4 information resources management needs in its agency strategic
 5 ~~information technology resource~~ plan with the policy board
 6 prior to the submission of the plan as prescribed by ss.
 7 186.021 and 186.022 ~~282.307-282.309~~. The policy board may
 8 suggest modifications to that plan ~~and submit any suggested~~
 9 ~~modifications as part of the plan.~~

10 (3) Actions taken by the data processing center to
 11 implement its approved plan shall be reviewed and approved by
 12 the policy board prior to implementation. These actions
 13 include, but are not limited to, setting policies and
 14 procedures governing the data processing center's rate
 15 structure and charging algorithm, information technology
 16 resource acquisitions above \$2,500, setting of work
 17 priorities, scheduling, and acceptance of new users.

18 (4) The data processing policy board may approve
 19 expenditures derived from the overall rate structure of the
 20 data processing center, not to exceed 5 percent of the gross
 21 services billings to all users in any fiscal year, to design,
 22 demonstrate, and conduct research and development for advanced
 23 information technology solutions to information processing
 24 problems. The data processing center may enter into agreements
 25 with private industry and federal, state, and local
 26 governments in designing, demonstrating, or developing such
 27 technologies which offer the potential to improve efficiency
 28 and reduce the cost of state operations. A majority vote of
 29 the policy board shall be required prior to all such
 30 expenditures. The data processing center shall report on such
 31 activities in its agency's ~~department's~~ annual performance

1 report on information ~~technology~~ resources management pursuant
2 to ~~s. 282.312~~.

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

5 Section 15. Section 282.318, Florida Statutes, 1996
6 Supplement, is amended to read:

7 282.318 Security of data and information technology
8 resources.--

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

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

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

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

20 ~~(c) "Information technology resources" means data~~
21 ~~processing hardware, software and services, supplies,~~
22 ~~personnel, facility resources, maintenance, training, or other~~
23 ~~related resources.~~

24 (2)(3)(a) Each agency head of a department is
25 responsible and accountable for assuring an adequate level of
26 security for all data and information technology resources of
27 the agency ~~within the department~~ and, to carry out this
28 responsibility, shall, at a minimum:

29 1. Designate an information security manager who shall
30 administer the security program of the agency ~~department~~ for
31 its data and information technology resources.

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

8 3. Develop, and periodically update, written internal
9 policies and procedures to assure the security of the data and
10 information technology resources of the agency. The internal
11 policies and procedures which, if disclosed, could facilitate
12 the unauthorized modification, disclosure, or destruction of
13 data or information technology resources are confidential
14 information and exempt from the provisions of s. 119.07(1),
15 except that such information shall be available to the Auditor
16 General in performing his or her postauditing duties.

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

20 5. Ensure that periodic internal audits and
21 evaluations of the security program for the data and
22 information technology resources of the agency are conducted.
23 The results of such internal audits and evaluations are
24 confidential information and exempt from the provisions of s.
25 119.07(1), except that such information shall be available to
26 the Auditor General in performing his or her postauditing
27 duties.

28 6. Include appropriate security requirements, as
29 determined by the agency ~~department~~, in the written
30 specifications for the solicitation of information technology
31 resources ~~by the department~~.

1 ~~7. Include as a part of the information resources~~
2 ~~management plan required in this chapter a general description~~
3 ~~of the existing security program and future plans for~~
4 ~~implementing information resources security policies and~~
5 ~~standards developed by the commission.~~

6 ~~8. Certify annually to the Information Resource~~
7 ~~Commission that the security program for data and information~~
8 ~~technology resources conforms with the standards and policies~~
9 ~~developed by that commission and planned for implementation in~~
10 ~~the agency strategic plan for information resources~~
11 ~~management. If the department is unable to certify such~~
12 ~~conformance, it shall notify the Information Resource~~
13 ~~Commission in writing, stating the deficiencies and the~~
14 ~~reasons for its nonconformance. As part of the annual~~
15 ~~certification process, agencies shall also note the percentage~~
16 ~~of critical applications, as defined by the agency, that have~~
17 ~~a current, tested contingency plan in the event of a disaster.~~

18 ~~(b) The Board of Regents is responsible for assuring~~
19 ~~an adequate level of security for the data and the information~~
20 ~~technology resources within the State University System. To~~
21 ~~carry out this responsibility for the State University System,~~
22 ~~the Board of Regents shall establish and maintain minimum~~
23 ~~security standards and rules to implement subparagraphs~~
24 ~~(a)1.-6. and perform the functions described in subparagraphs~~
25 ~~(d)2.-5.~~

26 ~~(c) The Supreme Court is responsible for assuring an~~
27 ~~adequate level of security for the data and the information~~
28 ~~technology resources within the judicial branch of government.~~
29 ~~To carry out this responsibility, at a minimum, the Supreme~~
30 ~~Court shall address the responsibilities prescribed in~~
31 ~~subparagraphs (a)1.-6. The Supreme Court shall develop~~

1 ~~written minimum standards and guidelines for the judicial~~
2 ~~branch to follow in developing its security program. The~~
3 ~~Supreme Court shall include as a part of the information~~
4 ~~resources management plan required by this chapter a general~~
5 ~~description of the existing security program and future plans~~
6 ~~for assuring the security of data and information technology~~
7 ~~resources.~~

8 ~~(d) The Information Resource Commission is responsible~~
9 ~~for providing centralized management and coordination of state~~
10 ~~policies relating to the security of data and information~~
11 ~~technology resources. To carry out this responsibility, the~~
12 ~~Information Resource Commission shall:~~

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

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

19 ~~3. Establish rules and regulations for the exchange of~~
20 ~~data between data centers or departments by intercoupling or~~
21 ~~telecommunications to ensure that exchanges do not jeopardize~~
22 ~~data security and confidentiality.~~

23 ~~4. Coordinate and provide for a training program~~
24 ~~regarding security of data and information technology~~
25 ~~resources to serve the technical and managerial needs of~~
26 ~~government.~~

27 ~~5. Provide technical and managerial assistance~~
28 ~~relating to the security program upon request.~~

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

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

31

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

4 (b)2. In those instances in which the Department of
5 Management Services ~~it~~ develops state contracts for use by
6 state all agencies, the department shall include appropriate
7 security requirements, ~~as established in paragraph (d),~~ in the
8 specifications for the solicitation for state contracts for
9 procuring information technology resources.

10 Section 16. Section 282.322, Florida Statutes, is
11 amended to read:

12 282.322 Special monitoring process for designated
13 information resources management projects.--For each
14 information resources management project which is designated
15 for special monitoring in the General Appropriations Act, with
16 a proviso requiring a contract with a project monitor, the
17 Technology Review Workgroup established pursuant to s.
18 216.0446 Information Resource Commission, in consultation with
19 each affected agency, ~~or the Board of Regents for each~~
20 ~~affected university,~~ shall be responsible for contracting with
21 the project monitor. Upon contract award, funds equal to the
22 contract amount shall be transferred to the Technology Review
23 Workgroup Information Resource Commission ~~or the Board of~~
24 ~~Regents as appropriate~~ upon request and subsequent approval of
25 a budget amendment pursuant to s. 216.292. With the
26 concurrence of the Legislative Auditing Committee, the office
27 of the Auditor General shall be the project monitor for other
28 projects designated for special monitoring. However, nothing
29 in this section precludes the Auditor General from conducting
30 such monitoring on any project designated for special
31 monitoring. In addition to monitoring and reporting on

1 significant communications between a contracting agency and
2 the appropriate federal authorities, the project monitoring
3 process shall consist of evaluating each major stage of the
4 designated project to determine whether the deliverables have
5 been satisfied and to assess the level of risks associated
6 with proceeding to the next stage of the project. The major
7 stages of each designated project shall be determined based on
8 the agency's information systems development methodology.
9 Within 20 days after an agency has completed a major stage of
10 its designated project, the project monitor shall issue a
11 written report, including the findings and recommendations for
12 correcting deficiencies, to the agency head, for review and
13 comment. Within 20 days after receipt of the project monitor's
14 report, the agency head shall submit a written statement of
15 explanation or rebuttal concerning the findings and
16 recommendations of the project monitor, including any
17 corrective action to be taken by the agency. The project
18 monitor shall include the agency's statement in its final
19 report which shall be forwarded, within 7 days after receipt
20 of the agency's statement, to the agency head, the inspector
21 general's office of the agency, the Executive Office of the
22 Governor, the appropriations committees of the Legislature,
23 the Joint Legislative Auditing Committee, the Technology
24 Review Workgroup, and the Legislative Information Technology
25 Resource Committee. The Auditor General shall also receive a
26 copy of the project monitor's report for those projects in
27 which the Auditor General is not the project monitor.

28 Section 17. Section 282.404, Florida Statutes, 1996
29 Supplement, is amended to read:

30
31

1 282.404 Geographic information board; definition;
2 membership; creation; duties; advisory council; membership;
3 duties.--

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

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

9 (b) The distribution of plant, animal, and human
10 populations;

11 (c) Real property interests;

12 (d) The elements of the growth management
13 comprehensive planning process under ss. 163.3177 and
14 163.3178;

15 (e) Political, jurisdictional, ownership, and other
16 artificial divisions of geography; and

17 (f) Measured features listed in paragraphs (a)-(d)
18 herein and geographic features produced pursuant to chapter
19 472.

20 (2)(a) The Florida Geographic Information Board is
21 created in the Executive Office of the Governor. The purpose
22 of the board is to facilitate the identification,
23 coordination, collection, and sharing of geographic
24 information among federal, state, regional, and local
25 agencies, and the private sector. The board shall develop
26 ~~review and recommend to the Information Resource Commission~~
27 solutions, policies, and standards to increase the value and
28 usefulness of geographic information concerning Florida. In
29 formulating and developing solutions, policies, and standards,
30 the board shall provide for and consider input from other
31 public agencies, such as the state universities, large and

1 small municipalities, urban and rural county governments, and
2 the private sector.

3 (b) The Geographic Information Board may issue
4 guidelines on recommended best practices, including
5 recommended policies and standards, for the identification,
6 coordination, collection, and sharing of geographic
7 information.

8 (c) The Geographic Information Board may contract for,
9 accept, and make gifts, grants, loans, or other aid from and
10 to any other governmental entity and to any person. Members
11 may contribute, and the board may receive and expend, funds
12 for board initiatives.

13 (3) The board consists of the Director of Planning and
14 Budgeting within the Executive Office of the Governor, the
15 executive director of the Game and Fresh Water Fish
16 Commission, the executive director of the Department of
17 Revenue, and the State Cadastral Surveyor, as defined in s.
18 177.503, or their designees, and the heads of the following
19 agencies, or their designees: the Department of Agriculture
20 and Consumer Services, the Department of Community Affairs,
21 the Department of Environmental Protection, the Department of
22 Transportation, and the Board of Professional Surveyors and
23 Mappers. The Governor shall appoint to the board one member
24 each to represent the counties, municipalities, regional
25 planning councils, water management districts, and county
26 property appraisers. The Governor shall initially appoint two
27 members to serve 2-year terms and three members to serve
28 4-year terms. Thereafter, the terms of all appointed members
29 must be 4 years and the terms must be staggered. Members may
30 be appointed to successive terms and incumbent members may
31 continue to serve the board until a new appointment is made.

1 The ~~executive director of the Information Resource Commission,~~
2 ~~or the executive director's designee,~~ and the chair of the
3 Geographic Information Advisory Council shall serve without
4 voting rights as an ex officio member ~~members~~ on the board.

5 (4) The Director of Planning and Budgeting of the
6 Executive Office of the Governor, or his or her designee,
7 shall serve as the chair of the board. A majority of the
8 membership of the board constitutes a quorum for the conduct
9 of business. The board shall meet at least twice each year,
10 and the chair may call a meeting of the board as often as
11 necessary to transact business. Administrative and clerical
12 support to the board shall be provided by the Department of
13 Management Services ~~Information Resource Commission~~.

14 (5) The board shall:

15 (a) Promote the sharing of geographic information
16 between the public sector and the private sector;

17 (b) Conduct a periodic assessment of geographic
18 information and geographic information systems in this state
19 to identify geographic information management activities and
20 available resources in this state;

21 (c) Reduce redundancy of data acquisition by promoting
22 the coordination of geographic data collection;

23 (d) Promote consistency of data elements by
24 establishing standard data definitions and formats;

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

27 (f) Develop criteria, policies, and procedures for the
28 prescribed and preplanned electronic transmission of
29 geographic information, including, but not limited to,
30 transmissions between a local planning agency, as defined in
31 s. 163.3164, and the state land planning agency;

1 (g) By March 1 of each year, develop and approve a
2 strategic plan pursuant to the requirements set forth in s.
3 186.022(9). Copies of the plan shall be transmitted
4 electronically or in writing to the Executive Office of the
5 Governor, the Speaker of the House of Representatives, the
6 President of the Senate, and the members of the Geographic
7 Information Advisory Council as provided in subsection (7);
8 ~~Develop and submit to the Information Resource Commission a~~
9 ~~strategic information resources management plan for geographic~~
10 ~~information no later than May 1 of each even-numbered year,~~
11 ~~except that the first plan is due May 1, 1997. At a minimum,~~
12 ~~the plan must address the planning components and procedures~~
13 ~~described in s. 282.307;~~

14 (h) Promote the use and coordination of geographic
15 information from sources such as universities, government
16 organizations, nonprofit organizations, and the private
17 sector;

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

20 (j) Serve as liaison between this state and the
21 Federal Government to promote the sharing of geographic
22 information;

23 (k) Establish technical advisory committees to assist
24 the board; and

25 (l) Promote regional coordination of geographic
26 information.

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

30 (7) The Geographic Information Advisory Council
31 consists of one member each from the Office of Planning and

1 Budgeting within the Executive Office of the Governor, the
2 Game and Fresh Water Fish Commission, the Department of
3 Revenue, ~~the Information Resource Commission,~~ the Department
4 of Agriculture and Consumer Services, the Department of
5 Community Affairs, the Department of Environmental Protection,
6 the Department of Transportation, the State Cadastral
7 Surveyor, the State Geologist, the Board of Professional
8 Surveyors and Mappers, counties, municipalities, regional
9 planning councils, water management districts, and property
10 appraisers, as appointed by the corresponding member of the
11 board. The Governor shall appoint to the council one member
12 each, as recommended by the respective organization, to
13 represent the Department of Commerce, the Department of
14 Children and Family Services, the Department of Health and
15 ~~Rehabilitative Services,~~ the Florida Survey and Mapping
16 Society, Florida Region of the American Society of
17 Photogrammetry and Remote Sensing, Florida Association of
18 Cadastral Mappers, The Florida Association of Professional
19 Geologists, Florida Engineering Society, Florida Chapter of
20 the Urban and Regional Information Systems Association, the
21 forestry industry, the State University System survey and
22 mapping academic research programs, and State University
23 System geographic information systems academic research
24 programs; and two members representing utilities, one from a
25 regional utility, and one from a local or municipal utility.
26 These persons must have technical expertise in geographic
27 information issues. The Governor shall initially appoint six
28 members to serve 2-year terms and six members to serve 4-year
29 terms. Thereafter, the terms of all appointed members must be
30 4 years and must be staggered. Members may be appointed to
31 successive terms and incumbent members may continue to serve

1 the council until a successor is appointed. Representatives of
2 the Federal Government may serve ~~without voting rights~~ as ex
3 officio members without voting rights.

4 (8) A majority of the membership constitutes a quorum
5 for the conduct of business and shall elect the chair of the
6 advisory council biennially. The council shall meet at least
7 twice a year, and the chair may call meetings as often as
8 necessary to transact business or as directed by the board.
9 Administrative and clerical support shall be provided by the
10 Department of Management Services Information Resource
11 Commission.

12 (9) The advisory council shall:

13 (a) Develop operational procedures for the conduct of
14 business;

15 (b) Make recommendations to the geographic information
16 board for policies, procedures, standards, and technical
17 solutions pertaining to the planning, coordination, sharing,
18 consistency, development, and maintenance of geographic
19 information;

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

22 (d) Make recommendations for the reduction of
23 unnecessary duplication of geographic information efforts
24 among various state, federal, regional, and local agencies and
25 the private sector;

26 (e) Seek information from the geographic information
27 and mapping community in formulating priorities for the
28 federal and state mapping and geographic information programs
29 and activities; and

30 (f) Inform mapping and geographic information users in
31 the state of programs, available materials and information,

1 and standards and solutions pertaining to mapping and
2 geographic information.

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

8 (11) Local governments are encouraged to participate
9 within their abilities and resources in order to facilitate
10 implementation of this section.

11 Section 18. Section 287.0735, Florida Statutes,
12 sections 282.004 and 282.312, Florida Statutes, as amended by
13 chapter 94-340, Laws of Florida, section 282.304, Florida
14 Statutes, as amended by chapters 94-226 and 94-340, Laws of
15 Florida, section 282.307, Florida Statutes, as amended by
16 chapters 94-226, 94-340, and 95-296, Laws of Florida, section
17 282.308, Florida Statutes, as amended by chapters 94-226,
18 94-340, 95-148, 95-243, and 95-392, Laws of Florida,
19 subsections (5), (6), (7) and (8) of section 287.073, Florida
20 Statutes, as amended by chapters 94-226, 94-340, and 95-148,
21 Laws of Florida, section 282.309, Florida Statutes, as amended
22 by chapters 95-148 and 96-388, Laws of Florida, sections
23 216.0445 and 282.311, Florida Statutes, as amended by chapters
24 94-226, 94-340, and 96-388, Laws of Florida, section 282.305,
25 Florida Statutes, as amended by chapters 94-226, 94-340, and
26 96-390, Laws of Florida, section 282.3062, Florida Statutes,
27 as amended by chapters 94-340, 96-388, and 96-390, Laws of
28 Florida, and sections 282.3061 and 282.314, Florida Statutes,
29 as amended by chapters 94-226, 94-340, 96-388, and 96-390,
30 Laws of Florida, are repealed.
31

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

3 215.90 Short title.--Sections 215.90-215.96 ~~This act~~
4 ~~shall be known and~~ may be cited as the "Florida Financial
5 Fiscal Accounting Management Information System Act."

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

8 215.91 Legislative intent.--

9 (1) It is the intent of the Legislature that for the
10 executive branch of government, in consultation with the
11 legislative fiscal appropriations committees, to specifically
12 design and implement the Florida Financial Management
13 Information System to be the primary means by which state
14 government managers acquire and disseminate the information
15 needed to plan and account for the delivery of services to the
16 citizens in a timely, efficient, and effective manner.

17 (2) The Florida Financial Management Information
18 System shall be a unified information system providing fiscal,
19 management, and accounting support for state decisionmakers.
20 It shall provide a means of coordinating fiscal management
21 information and information that supports state planning,
22 policy development, management, evaluation, and performance
23 monitoring. The Florida Financial Management Information
24 System shall be the primary information resource that provides
25 accountability for public funds, resources, and activities.

26 (3) The Financial Management Information Board shall
27 provide the overall framework within which the Florida
28 Financial Management Information System will operate. The
29 board, through the Florida Financial Management Information
30 System Coordinating Council, shall adopt policies and
31 procedures to:

1 (a) Strengthen and standardize the fiscal management
2 and accounting practices of the state;

3 (b) Improve internal financial controls;

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

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

8 (4) The council shall provide ongoing counsel to the
9 board and act to resolve problems among or between the
10 functional owner subsystems. The board, through the
11 coordinating council, shall direct and manage the development,
12 implementation, and operation of the information subsystems
13 that together are the Florida Financial Management Information
14 System. The coordinating council shall approve the
15 information subsystems' designs prior to the development,
16 implementation, and operation of the subsystems and shall
17 approve subsequent proposed design modifications to the
18 information subsystems subject to the guidelines issued by the
19 council. The coordinating council shall ensure that the
20 information subsystems' operations support the exchange of
21 unified and coordinated data between information subsystems.
22 The coordinating council shall establish the common data codes
23 for financial management and it shall require and ensure the
24 use of common data codes by the information subsystems that
25 together constitute the Florida Financial Management
26 Information System. The Comptroller shall adopt a chart of
27 accounts consistent with the common financial management data
28 codes established by the coordinating council. The board,
29 through the coordinating council, shall establish the
30 financial management policies and procedures for the executive
31 branch of state government. The coordinating council shall

1 notify in writing the chairs of the legislative fiscal
2 committees and the Chief Justice of the Supreme Court
3 regarding the adoption of, or modification to, a proposed
4 financial management policy or procedure. The notice shall
5 solicit comments from the chairs of the legislative fiscal
6 committees and the Chief Justice of the Supreme Court at least
7 14 consecutive days before the final action by the
8 coordinating council.

9 (5) The Florida Financial Management Information
10 System and its functional owner information subsystems shall
11 be compatible with the legislative appropriations system and
12 they shall be designed to support the legislative oversight
13 function. The Florida Financial Management Information System
14 and its functional owner information subsystems shall be
15 unified with the legislative information systems that support
16 the legislative appropriations and legislative oversight
17 functions. The Florida Financial Management Information
18 System and its functional owner information subsystems shall
19 exchange information with the legislative information systems
20 that support the legislative appropriations and legislative
21 oversight functions without conversion or modification. Any
22 information maintained by the Florida Financial Management
23 Information System and its functional owner information
24 subsystems shall be available, upon request, to the
25 information systems of the legislative branch.

26 (6) The Florida Financial Management Information
27 System and its functional owner information subsystems shall
28 be designed to incorporate the flexibility needed to respond
29 to the dynamic demands of state government in a cost-conscious
30 manner. The Florida Financial Management Information System
31 shall include applications that will support an information

1 retrieval system that will allow the user to ask general
2 questions and receive accurate answers that include
3 assessments concerning the qualifications of the data.

4 (7) The Florida Financial Management Information
5 System and each of its functional owner information subsystems
6 shall strive to employ a common set of operations that make
7 the system accessible to agency program managers and statewide
8 decisionmakers. Data shall be easily transferred from the
9 functional owner information subsystems to Florida Financial
10 Management Information System applications and also among the
11 functional owner information subsystems. The functional owner
12 information subsystems shall identify shared data-gathering
13 needs in order to minimize the duplications of source-entry
14 input. The coordinating council shall ensure that all
15 organizations within the executive branch of state government
16 have access to and use the Florida Financial Management
17 Information System for the collection, processing, and
18 reporting of financial management data required for the
19 efficient and effective operation of state government.

20 (8) The Florida Financial Management Information
21 System, through its functional owner subsystems, shall include
22 a data-gathering and data-distribution facility that will
23 support a management and decisionmaking information system
24 that collects and stores agency and statewide financial,
25 administrative, planning, and program information to assist
26 agency program managers and statewide decisionmakers in
27 carrying out their responsibilities ~~a management information~~
28 ~~system utilizing a unified approach. The system is to~~
29 ~~strengthen and standardize management and accounting~~
30 ~~procedures; strengthen internal controls; enable the~~
31 ~~preparation of objective, accurate, and timely fiscal reports;~~

1 ~~report on the stewardship of officials who are responsible for~~
2 ~~public funds and property; and provide timely and accurate~~
3 ~~information for decisionmaking purposes.~~

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

6 215.92 Definitions.--For the purposes of ss.
7 215.90-215.96 ~~this act:~~

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

11 (2) "Board" means the Financial Management Fiscal
12 Accounting Information Board.

13 (3) "Coordinating council" or "council" means the
14 Florida Financial Management Information System Coordinating
15 Council.

16 (4)~~(3)~~ "Data or data code" means representation of
17 facts, concepts, or instructions in a formalized manner
18 suitable for communication, interpretation, or processing by
19 humans or by automatic means. The term includes any
20 representations such as characters or analog quantities to
21 which meaning is, or might be, assigned.~~a set of symbols~~
22 ~~which are used to represent various data items for data~~
23 ~~elements on a one-for-one basis.~~

24 ~~(4) "Data record" means information which is processed~~
25 ~~or stored, or is to be processed, by a computer system, which~~
26 ~~may exist in any form, whether it be computer printouts,~~
27 ~~magnetic storage media, or internal storage in the memory of~~
28 ~~the computer.~~

29 (5) "Design and coordination staff" means the
30 personnel responsible for providing administrative and
31 clerical support to the board, coordinating council, and

1 secretary to the board. The design and coordination staff
2 shall function as the agency clerk for the board and the
3 coordinating council. For administrative purposes, the design
4 and coordination staff are assigned to the Department of
5 Banking and Finance but they are functionally assigned to the
6 board.

7 (6)~~(5)~~ "Functional owner" means the agency, or that
8 part of the judicial branch, which has the legal
9 responsibility to design, implement, and operate an
10 information subsystem as provided by ss. 215.90-215.96 ~~this~~
11 ~~act.~~

12 (7)~~(6)~~ "Functional system specifications" means the
13 detailed written description of an information subsystem.
14 These specifications are prepared by the functional owner of
15 the system; describe, in the functional owner's language, what
16 an information subsystem is required to do; and describe the
17 features, characteristics, controls, and internal control
18 measures to be incorporated into the information subsystem.
19 Such specifications are the basis for the preparation of the
20 technical system specifications by the functional owner.

21 (8)~~(7)~~ "Information system" means a group of
22 interrelated information subsystems.

23 (9)~~(8)~~ "Information subsystem" means the entire
24 collection of procedures, equipment, and people devoted to the
25 generation, collection, evaluation, storage, retrieval, and
26 dissemination of data and information within an organization
27 or functional area in order to promote the flow of information
28 from source to user.

29 ~~(9) "Overall costs" with respect to an electronic data~~
30 ~~processing system means the cost of designing, implementing,~~
31 ~~and operating such system and includes, but is not limited to,~~

1 ~~the cost of purchase, rental, maintenance, site preparation~~
2 ~~and installation, programming, employment and training of~~
3 ~~personnel, conversion, and communication lines.~~

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

6 215.93 Florida Financial ~~Fiscal Accounting~~ Management
7 Information System.--

8 (1) To provide the information necessary to carry out
9 the intent of the Legislature, there shall be a Florida
10 Financial ~~Fiscal Accounting~~ Management Information System.

11 The Florida Financial ~~Fiscal Accounting~~ Management Information
12 System shall be fully implemented and shall be upgraded as
13 necessary to ensure the efficient operation of an integrated
14 financial management information system and to provide
15 necessary information for the effective operation of state
16 government. Upon the recommendation of the coordinating
17 council and approval of the board, the Florida Financial
18 Management Information System may require data from any state
19 agency information system or information subsystem or may
20 request data from any judicial branch information system or
21 information subsystem that the coordinating council and board
22 have determined to have statewide financial management
23 significance. Each functional owner information subsystem
24 within the Florida Financial Management Information System
25 shall be developed in such a fashion as to allow for timely,
26 positive, preplanned, and prescribed data transfers between
27 the Florida Financial Management Information System functional
28 owner information subsystems and from other information
29 systems. The principal unit of the system shall be the
30 functional owner information subsystem, and the system shall
31

1 ~~originally~~ include, but shall not be limited to,the
 2 following:
 3 ~~(a) Revenue and Regulations Subsystem.~~
 4 (a)(b) Planning and Budgeting Subsystem.
 5 ~~(b)(c) Florida Accounting Information Resource State~~
 6 ~~Automated Management Accounting Subsystem.~~
 7 ~~(c)(d) Cash Management Banking and Collateral~~
 8 ~~Securities Subsystem.~~
 9 ~~(d)(e) Management Services and Purchasing Subsystem.~~
 10 (e)(f) Cooperative Personnel Employment State
 11 ~~Personnel Payroll Information Subsystem.~~
 12 ~~(g) Investment and Debt Control Subsystem.~~
 13 (2) Each information subsystem shall have a functional
 14 owner, who may establish additional functions ~~components~~ for
 15 the subsystem unless specifically prohibited by ss.
 16 215.90-215.96 ~~this act~~. However, without the express approval
 17 of the board upon recommendation of the coordinating council,
 18 no functional owner nor any other agency shall have the
 19 authority to establish or maintain additional subsystems which
 20 duplicate any of the information subsystems of the Florida
 21 Financial Fiscal Accounting Management Information System.
 22 Each functional owner shall solicit input and responses from
 23 agencies utilizing the information subsystem. Each functional
 24 owner may contract with the other functional owners for
 25 assistance in the design, development, and implementation of
 26 their information systems and subsystems. Each functional
 27 owner shall include in its information subsystem functional
 28 specifications the data requirements and standards of the
 29 Florida Financial Management Information System as approved by
 30 the board. Each functional owner shall establish design teams
 31 that shall plan and coordinate the design and implementation

1 of its subsystem within the framework established by the
2 board. The design teams shall assist the design and
3 coordination staff in carrying out the duties assigned by the
4 board or the coordinating council. The coordinating council
5 shall review and approve the work plans for these projects.

6 (3) The Florida Financial ~~Fiscal Accounting~~ Management
7 Information System shall include financial management data and
8 utilize identical data codes and the chart of accounts
9 approved by the Comptroller used by the State Automated
10 Management Accounting Subsystem. Common financial management
11 data shall include, but not be limited to, data codes, titles,
12 and definitions used by one or more of the functional owner
13 subsystems. The Florida Financial Management Information
14 System shall utilize common financial management data codes.
15 The council shall recommend and the board shall adopt policies
16 regarding the approval and publication of the financial
17 management data. The Comptroller shall adopt policies
18 regarding the approval and publication of the chart of
19 accounts. The Comptroller's chart of accounts shall be
20 consistent with the common financial management data codes
21 established by the coordinating council. Further, all systems
22 not a part of the Florida Financial ~~Fiscal Accounting~~
23 Management Information System which provide information to the
24 system shall use the common ~~identical~~ data codes from ~~and~~ the
25 Florida Financial Management Information System and the
26 Comptroller's chart of accounts ~~of the State Automated~~
27 Management Accounting Subsystem. Data codes that ~~which~~ cannot
28 be supplied by the Florida Financial Management Information
29 System and the Comptroller's chart of accounts ~~State Automated~~
30 Management Accounting System and that ~~which~~ are required for
31 use by the information subsystems shall be approved by the

1 board upon recommendation of the coordinating council.
2 However, board approval shall not be required for those data
3 codes specified by the Auditor General under the provisions of
4 s. 215.94~~(6)~~(8)(c).

5 (4) The Florida Financial ~~Fiscal Accounting~~ Management
6 Information System shall be designed, installed, and operated
7 in a fashion compatible with the legislative appropriations
8 system, ~~so as to provide timely data for producing financial~~
9 ~~statements for the state in accordance with generally accepted~~
10 ~~accounting principles.~~

11 (5) Functional owners are legally responsible for the
12 security and integrity ~~validity~~ of all data records existing
13 within or transferred from their information subsystems. Each
14 agency and the judicial branch shall be responsible for the
15 accuracy of the information entered into the Florida Financial
16 Management Information System.

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

19 215.94 Designation, duties, and responsibilities of
20 functional owners.--

21 ~~(1) The Department of Revenue shall be the functional~~
22 ~~owner of the Revenue and Regulation Subsystem. The department~~
23 ~~shall design, implement, and operate the subsystem in~~
24 ~~accordance with the provisions of this act. The subsystem~~
25 ~~shall include, but shall not be limited to, components for:~~

26 ~~(a) Collecting detailed information regarding all~~
27 ~~revenues received by the state.~~

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

1 ~~(1)(2)~~ The Executive Office of the Governor shall be
2 the functional owner of the Planning and Budgeting Subsystem,
3 which shall be designed, implemented, and operated in
4 accordance with the provisions of ss. 215.90-215.96 ~~this act~~
5 and chapter 216. The Planning and Budgeting Subsystem shall
6 include, but shall not be limited to, functions ~~components~~
7 for:

8 (a) Development and preparation of agency and judicial
9 branch budget requests.

10 (b) Analysis and evaluation of agency and judicial
11 branch budget requests and alternatives.

12 ~~(c) Cash forecasting.~~

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

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

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

20 ~~(2)(3)~~ The Department of Banking and Finance shall be
21 the functional owner of the Florida Accounting Information
22 Resource State Automated Management Accounting Subsystem
23 established pursuant to ss. 11.46, 17.03, ~~and~~ 216.141, and
24 216.151 and further developed in accordance with the
25 provisions of ss. 215.90-215.96 ~~this act~~. The subsystem shall
26 include, but shall not be limited to, the following functions
27 ~~components~~:

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

1 (b) Auditing and settling claims against the state
2 ~~Cost accounting.~~
3 ~~(c) Production control.~~
4 ~~(d) State or central accounting and reporting.~~
5 ~~(e) Warrant preparation.~~
6 (3)(4) The Treasurer shall be the functional owner of
7 the Cash Management Banking and Collateral Securities
8 Subsystem. The Treasurer shall design, implement, and operate
9 the subsystem in accordance with the provisions of ss.
10 215.90-215.96 ~~this act~~. The subsystem shall include, but
11 shall not be limited to, functions ~~components~~ for:
12 (a) Recording and reconciling credits and debits to
13 treasury fund accounts.
14 (b) Monitoring cash levels and activities in state
15 bank accounts.
16 (c) Monitoring short-term investments of idle cash.
17 (d) Administering the provisions of the Federal Cash
18 Management Improvement Act of 1990 ~~Recording and monitoring~~
19 ~~securities pledged to and administered by the office of the~~
20 ~~Treasurer.~~
21 (4)(5) The Department of Management Services shall be
22 the functional owner of the ~~Management Services and Purchasing~~
23 Subsystem. The department shall design, implement, and
24 operate the subsystem in accordance with the provisions of ss.
25 215.90-215.96 ~~this act~~. The subsystem shall include, but
26 shall not be limited to, functions ~~components~~ for:
27 ~~(a) commodity and service procurement, inventory~~
28 ~~control, and warehousing.~~
29 ~~(b) Facilities management and utilization.~~
30 ~~(c) Construction bidding and monitoring.~~
31

1 ~~(d) Controlling and operating centralized equipment~~
2 ~~pools.~~

3 (5)(6) The Department of Management Services shall be
4 the functional owner of the Cooperative State Personnel
5 Employment Payroll Information Subsystem. The department
6 shall design, implement, and operate the subsystem in
7 accordance with the provisions of s. 110.116 and ss.
8 215.90-215.96 ~~this act~~. The subsystem shall include, but
9 shall not be limited to, functions ~~components~~ for:

10 (a) Maintenance of employee and position data,
11 including funding sources and percentages and salary lapse.
12 The employee data shall include, but not be limited to,
13 information to meet the payroll system requirements of the
14 Department of Banking and Finance and to meet the employee
15 benefit system requirements of the Division of State Employees
16 Insurance in the Department of Management Services.

17 (b) Recruitment and examination.

18 (c) Time reporting.

19 ~~(d) Collective bargaining Retirement contributions and~~
20 ~~certification.~~

21 ~~(7) The State Board of Administration shall be the~~
22 ~~functional owner of the Investment and Debt Control Subsystem.~~
23 ~~The State Board of Administration shall design, implement, and~~
24 ~~operate the subsystem in accordance with the provisions of~~
25 ~~this act. The subsystem shall include, but shall not be~~
26 ~~limited to, components for:~~

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

29 ~~(b) Monitoring and evaluating the yield or return on~~
30 ~~state investments.~~

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

3 ~~(d) Monitoring state-supported bond issues so that the~~
4 ~~contractual and legal requirements relative to the bond issues~~
5 ~~are met.~~

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

10 (b) Upon such notification, the Auditor General shall
11 participate with each functional owner to the extent necessary
12 to provide assurance that:

13 1. The accounting information produced by the
14 information subsystem adheres to generally accepted accounting
15 principles.

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

19 3. The information subsystem is auditable.

20 (c) The Auditor General shall specify those additional
21 features, characteristics, controls, and internal control
22 measures deemed necessary to carry out the provisions of this
23 subsection. Further, it shall be the responsibility of each
24 functional owner to install and incorporate such specified
25 features, characteristics, controls, and internal control
26 measures within each information subsystem.

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

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

1 215.95 Financial Management ~~Fiscal Accounting~~
2 Information Board.--

3 (1) There is created, as part of the Administration
4 Commission, the Financial Management ~~Fiscal Accounting~~
5 Information Board. The board shall be composed of the
6 Governor, the Comptroller, and the Treasurer. The Governor
7 shall be chair of the board. The Governor or the Comptroller
8 may call a meeting of the board at any time the need arises.

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

11 (a) Adopt such rules, policies, procedures,
12 principles, and standards as deemed necessary to implement the
13 Florida Financial ~~Fiscal Accounting~~ Management Information
14 System.

15 (b) Oversee the actions of the coordinating council
16 and issue orders to executive branch agencies to enforce
17 implementation of and compliance with provisions relating to
18 the Florida Financial ~~Fiscal Accounting~~ Management Information
19 System.

20 (c) Manage and oversee the development of the Florida
21 Financial Management Information System in such a fashion
22 including, but not limited to, ensuring ~~as to ensure~~
23 compatibility and integration with the Legislative
24 Appropriations System.

25 (d) By March 1 of each year, approve a strategic plan
26 pursuant to the requirements set forth in s. 186.022(9).

27 ~~Submit to the Joint Legislative Auditing Committee an annual~~
28 ~~report containing, but not limited to, the following:~~

29 1. ~~Current status of all information subsystems.~~

30 2. ~~Detailed plans related to all information~~

31 ~~subsystems provided for in s. 215.96(3)(a).~~

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

3 215.96 Coordinating council and design and
 4 coordination staff.--

5 (1) The Comptroller, as chief fiscal officer of the
 6 state, shall establish a coordinating council to function on a
 7 continuing basis. The coordinating council shall review and
 8 recommend to the board solutions and policy alternatives to
 9 ensure coordination between functional owners of the various
 10 information subsystems described in ss. 215.90-215.96 ~~this act~~
 11 to the extent necessary to unify all the subsystems into a
 12 financial ~~fiscal accounting~~ management information system.

13 (2) The coordinating council shall consist of the
 14 Comptroller; the Treasurer; the secretary of the Department of
 15 Management Services; and the Director of Planning and
 16 Budgeting, Executive Office of the Governor; ~~the executive~~
 17 ~~director of the Department of Revenue; and the executive~~
 18 ~~director of the State Board of Administration~~, or their
 19 designees. The Comptroller, or his or her designee, shall be
 20 chair of the coordinating council and the design and
 21 coordination staff shall provide administrative and clerical
 22 support to the council and the board. The design and
 23 coordination staff ~~Comptroller~~ shall maintain the minutes of
 24 each meeting and shall make such minutes available to any
 25 interested person. The Auditor General, the State Courts
 26 Administrator, an executive officer of the Florida Association
 27 of State Administrative Services Directors, and an executive
 28 officer of the Florida Association of State Budget Officers,
 29 ~~and the executive director of the Information Resource~~
 30 ~~Commission~~, or their designees, shall serve without voting
 31 rights as ex officio members on the coordinating council. The

1 chair may call meetings of the coordinating council as often
2 as necessary to transact business; however, the coordinating
3 council shall meet at least once a year. Action of the
4 coordinating council shall be by motion, duly made, seconded
5 and passed by a majority of the coordinating council voting in
6 the affirmative for approval of items that are to be
7 recommended for approval to the Financial Management
8 Information Board.

9 (3) The coordinating council, assisted by the design
10 and coordination staff, shall have the following duties,
11 powers, and responsibilities pertaining to the Florida
12 Financial ~~Fiscal Accounting~~ Management Information System:

13 (a) To conduct such studies and to establish
14 committees, workgroups, and teams to develop recommendations
15 for rules, policies, procedures, principles, and standards to
16 the board as necessary to assist the board in its efforts
17 ~~establish an information resources management plan to design,~~
18 ~~implement, and perpetuate a~~ financial ~~fiscal accounting~~
19 ~~management information system, including, but not limited to,~~
20 ~~the establishment of common data codes, the development of~~
21 ~~integrated financial management policies that address the~~
22 ~~information and management needs of the functional owner~~
23 ~~subsystems, and the development of a strategic plan pursuant~~
24 ~~to the requirements set forth in s. 186.022(9). At a minimum,~~
25 ~~the plan shall address the planning components described in s.~~
26 ~~282.307(1). The plan shall be established and approved by the~~
27 ~~board no later than March 1 of each even-numbered year. The~~
28 coordinating council shall make available forward a copy of
29 the approved plan in writing or through electronic means to
30 each of the coordinating council members ~~the Information~~
31 ~~Resource Commission, the Executive Office of the Governor, the~~

1 fiscal appropriations committees of the Legislature, the Joint
2 Legislative Information Technology Resources Committee, and
3 any interested person ~~each department as defined in s.~~
4 ~~282.303.~~

5 (b) To recommend to the board solutions, ~~and~~ policy
6 alternatives, and legislative budget request issues that will
7 ensure a framework for the timely, positive, preplanned, and
8 prescribed data transfer between information subsystems and to
9 recommend to the board solutions, policy alternatives, and
10 legislative budget request issues that ensure the availability
11 of data and information that support state planning, policy
12 development, management, evaluation, and performance
13 monitoring.

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

16 (d) To review the annual work plans of the functional
17 owner information subsystems by October 1 of each year. The
18 review shall be conducted to assess the status of the Florida
19 Financial Management Information System and the functional
20 owner subsystems in regard to the provisions of s. 215.91.
21 The coordinating council, as part of the review process, may
22 make recommendations for modifications to the functional owner
23 information subsystems annual work plans.

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

26 216.141 Budget system procedures; planning and
27 programming by state agencies.--

28 (1) The Executive Office of the Governor, in
29 consultation with the appropriations committees of the Senate
30 and House of Representatives ~~and the Auditor General,~~ and by
31 utilizing the Florida Financial Management Information System

1 management data and the Comptroller's chart of accounts coding
 2 ~~system of the State Automated Management Accounting Subsystem,~~
 3 shall prescribe a planning and budgeting system, pursuant to
 4 s. 215.94(1)(2), to provide for continuous planning and
 5 programming and for effective management practices for the
 6 efficient operations of all state agencies and the judicial
 7 branch. However, the planning and budgeting system shall be
 8 limited to the processing of information related to ss.
 9 216.023, 216.0235, 216.031, 216.043, ~~216.102, 216.111,~~
 10 216.121, 216.181, 216.182, and 216.192 and those applications
 11 relating to part I of chapter 23 and part I of chapter 252
 12 which are funded by the Legislature. The Executive Office of
 13 the Governor may contract with the Legislature to develop the
 14 planning and budgeting system and to provide services to the
 15 Legislature for the support and use of the legislative
 16 appropriations system. The contract shall include the
 17 policies and procedures for combining the legislative
 18 appropriations system with the planning and budgeting
 19 information system established pursuant to s. 215.94(1). At a
 20 minimum, the contract shall require the use of common data
 21 codes. The combined legislative appropriations and planning
 22 and budgeting information subsystem shall support the
 23 legislative appropriations and legislative oversight functions
 24 without data code conversion or modification.

25 (2) The Florida Management Information Board
 26 ~~Comptroller~~ shall notify the Auditor General of any changes or
 27 modifications to the Florida Financial Management Information
 28 System and its functional owner information subsystems ~~State~~
 29 ~~Automated Management Accounting Subsystem.~~

30 (3) The Comptroller, as chief fiscal officer, shall
 31 use the Florida Accounting Information Resource Subsystem

1 developed pursuant to s. 215.94(2) for account purposes in the
2 performance of and accounting for all of his or her
3 constitutional and statutory duties and responsibilities.
4 However, state agencies and the judicial branch continue to be
5 responsible for maintaining accounting records necessary for
6 effective management of their programs and functions.

7 Section 27. Health Information Systems Council;
8 legislative intent; creation, appointment, duties.--

9 (1) The Legislature finds that it is in the state's
10 interest to create a council consisting of executive-level
11 managers for the state's health-related entities, to
12 facilitate the sharing and coordination of health-related
13 data.

14 (2) There is created a Health Information Systems
15 Council in the Department of Health to facilitate the
16 identification, collection, standardization, sharing, and
17 coordination of health-related data, including fraud and abuse
18 data, and professional and facility licensing data among
19 federal, state, local, and private entities. The Department
20 of Health shall provide administrative support to the council.

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

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

24 (b) The secretary of the Department of Business and
25 Professional Regulation;

26 (c) The secretary of the Department of Children and
27 Family Services;

28 (d) The director of the Agency for Health Care
29 Administration;

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

31 (f) The Attorney General;

1 (g) The executive director of the Correctional Medical
2 Authority;

3 (h) Two members representing county health
4 departments, one from a small county and one from a large
5 county, appointed by the Governor; and

6 (i) A representative from the Florida Association of
7 Counties.

8
9 Representatives of the Federal Government may serve without
10 voting rights.

11 (4) Members of the council who are appointed by the
12 Governor shall serve 2-year terms beginning January 1 through
13 December 31, except that their initial term shall be July 1,
14 1997, through December 31, 1998. A member may be removed by
15 the Governor for cause or if such member is absent from three
16 consecutive meetings. Any member appointed to fill a vacancy
17 shall serve for the unexpired term of his or her predecessor.

18 (5) The council shall annually elect its chair and
19 other officers. The council shall meet at least quarterly or
20 at the call of its chair, at the request of a majority of its
21 membership, or at the request of a department. All actions
22 taken by the council shall be based upon approval by a simple
23 majority.

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

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

29 (a) By March 1 of each year, to develop and approve a
30 strategic plan pursuant to the requirements set forth in s.
31 186.022(9), Florida Statutes. Copies of the plan shall be

1 transmitted electronically or in writing to the Executive
2 Office of the Governor, the Speaker of the House of
3 Representatives, and the President of the Senate.

4 (b) To develop a mission statement, goals, and plan of
5 action, based on the guiding principles specified in s.
6 282.3032, Florida Statutes, for the identification,
7 collection, standardization, sharing, and coordination of
8 health-related data across federal, state, and local
9 government and private-sector entities.

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

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

16 20.19 Department of Children and Family
17 Services.--There is created a Department of Children and
18 Family Services.

19 (13) INFORMATION SYSTEMS.--

20 (a) The secretary shall appoint a Chief ~~Management~~
21 Information Officer ~~to serve as the department's information~~
22 ~~resource manager~~ with the authority for agency development and
23 management information systems maintenance, policies, and
24 procedures as provided for in chapter 282 s. 282.311. The
25 Chief ~~Management~~ Information Officer shall direct and promote
26 information as a strategic asset and facilitate integration of
27 data systems and agency and interagency resource sharing as
28 allowed by applicable statutes. The Chief ~~Management~~
29 Information Officer serves at the pleasure of the secretary.

30 (b) The Chief ~~Management~~ Information Officer is
31 directly responsible for the management of the management

1 information systems service center that provides primary
2 information systems support for all entities within the
3 department and maintains fee-for-service provisions for use by
4 other agencies. The Chief ~~Management~~ Information Officer shall
5 negotiate service-level agreements between the management
6 information systems service center and users and shall
7 facilitate integrated information systems practices and
8 procedures throughout the service districts and with local
9 service providers.

10 Section 29. Paragraph (c) of subsection (6) of section
11 20.316, Florida Statutes, 1996 Supplement, is amended to read:

12 20.316 Department of Juvenile Justice.--There is
13 created a Department of Juvenile Justice.

14 (6) INFORMATION SYSTEMS.--

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

18 Section 30. Subsection (6) of section 20.41, Florida
19 Statutes, is amended to read:

20 20.41 Department of Elderly Affairs.--There is created
21 a Department of Elderly Affairs.

22 (6) In accordance with the federal Older Americans Act
23 of 1965, as amended, the department shall designate and
24 contract with area agencies on aging in each of the
25 department's planning and service areas. Area agencies on
26 aging shall ensure a coordinated and integrated provision of
27 long-term care services to the elderly and shall ensure the
28 provision of prevention and early intervention services. The
29 department shall have overall responsibility for information
30 system planning. The department shall ensure, through the
31 development of equipment, software, data, and connectivity

1 standards, the ability to share and integrate information
2 collected and reported by the area agencies in support of
3 their contracted obligations to the state. ~~Information system~~
4 ~~plans developed in support of the area agencies shall be~~
5 ~~included in the department's strategic information resource~~
6 ~~management plan, as required by s. 282.307.~~

7 Section 31. Paragraph (b) of subsection (1) of section
8 112.3145, Florida Statutes, 1996 Supplement, is amended to
9 read:

10 112.3145 Disclosure of financial interests and clients
11 represented before agencies.--

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

14 (b) "Specified state employee" means:

15 1. Public counsel created by chapter 350, an assistant
16 state attorney, an assistant public defender, a full-time
17 state employee who serves as counsel or assistant counsel to
18 any state agency, a judge of compensation claims, an
19 administrative law judge, or a hearing officer.

20 2. Any person employed in the office of the Governor
21 or in the office of any member of the Cabinet if that person
22 is exempt from the Career Service System, except persons
23 employed in clerical, secretarial, or similar positions.

24 3. Each appointed secretary, assistant secretary,
25 deputy secretary, executive director, assistant executive
26 director, or deputy executive director of each state
27 department, commission, board, or council; unless otherwise
28 provided, the division director, assistant division director,
29 deputy director, bureau chief, and assistant bureau chief of
30 any state department or division; or any person having the
31 power normally conferred upon such persons, by whatever title.

1 4. The superintendent or institute director of a state
2 mental health institute established for training and research
3 in the mental health field or the superintendent or director
4 of any major state institution or facility established for
5 corrections, training, treatment, or rehabilitation.

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

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

13 6.7. Any person, other than a legislative assistant
14 exempted by the presiding officer of the house by which the
15 legislative assistant is employed, who is employed in the
16 legislative branch of government, except persons employed in
17 maintenance, clerical, secretarial, or similar positions.

18 ~~7.8.~~ Each employee of the Commission on Ethics.

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

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

29 (8) An information resources management schedule
30 showing the agency's or judicial branch's total budget request
31 for information resources management. The schedule shall be

1 in the format provided for in the legislative budget
2 instructions. The budget request for information resources
3 management shall identify, if applicable, which parts of the
4 request are in response to any information resources
5 management issues included in the legislative budget
6 instructions ~~pursuant to s. 282.305(1)~~. This subsection is
7 applicable only to those state agencies which are under the
8 purview of ss. 282.303-282.313 and to the judicial branch.

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

11 216.235 Innovation Investment Program; definitions;
12 intent; State Innovation Committee; responsibilities;
13 procedures for innovative project submission, review,
14 evaluation, and approval; criteria to be considered.--

15 (5) Except as otherwise provided in this act,
16 innovative project proposals shall be submitted to the
17 department no later than August 1. The department shall
18 prescribe the format for proposals submitted pursuant to this
19 section. Such proposals shall include, but not be limited to:

20 (a) The identification of a specific innovative
21 project.

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

23 (c) A cost/benefit analysis.

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

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

29
30 All proposals shall have the approval of the agency head, the
31 agency's budget director, the agency's inspector general or

1 internal auditor, and, if the proposal involves information
2 technology resources, the agency's Chief Information Officer
3 ~~information resource manager~~ prior to submission to the
4 department.

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

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

14 (b) A statement as to the innovative project's
15 consistency with the agency's strategic plan ~~for information~~
16 ~~resources management~~.

17 (c) The business case, which shall include how the
18 funds are to be used, what specific processes will be
19 affected, and how savings for improved efficiency of
20 operations are to be achieved.

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

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

25
26 Based on the components required by this subsection to be
27 included in innovative project proposals, the State Innovation
28 Committee or its designee ~~Information Resource Commission~~
29 shall evaluate the innovative project's technical feasibility
30 and ~~shall~~ make recommendations to the review board. Proposals
31 that involve the innovative application of information

1 technology resources that have a transferable benefit to other
2 agencies shall receive greater consideration by the committee
3 or its designee ~~Information Resource Commission~~ than those
4 applications that do not have a transferable benefit.

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

13 Section 34. Section 216.236, Florida Statutes, is
14 amended to read:

15 216.236 Innovation Investment Program; funding;
16 recordkeeping and reporting.--The amount of \$1 million of any
17 funds appropriated from the General Revenue Fund for the
18 purpose of funding the Innovation Investment Program shall be
19 available on a payback basis. Innovative project proposals
20 funded on a payback basis shall include the requirements of s.
21 216.235(5) and, if applicable, s. 216.235(6), and shall be
22 submitted to the department no later than May 15. The State
23 Innovation Committee or its designee ~~Agencies submitting an~~
24 ~~innovative project proposal involving information technology~~
25 ~~resources shall not be required to submit a draft proposal to~~
26 ~~the Information Resource Commission; however, the Information~~
27 ~~Resource Commission~~ shall review and evaluate such proposal as
28 to its technical feasibility. Funds for the innovative project
29 shall be available to the agency on July 1. Any of such funds
30 which are not awarded by July 1 shall be used for funding
31 innovative projects submitted for funding pursuant to section

1 3. Loans made under this section shall be repaid, without
2 interest, from savings realized by the agency as a result of
3 implementing the innovative project by no later than July 30
4 of the following fiscal year in which the funds were received
5 by the agency. Any agency awarded funds pursuant to this
6 section shall maintain detailed accounting records showing all
7 expenses, loan transfers, savings, or other financial actions
8 concerning the project. Any savings realized as a result of
9 implementing the innovative project shall be quantified,
10 validated, and verified by the agency. By July 1 of the
11 following fiscal year in which the funds were received, a
12 final report of the results of the implementation of each
13 innovative project shall be submitted by each participating
14 agency to the Governor's Office of Planning and Budgeting and
15 the legislative appropriations committees, along with a budget
16 amendment to reimburse the General Revenue Fund.

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

19 287.042 Powers, duties, and functions.--The division
20 shall have the following powers, duties, and functions:

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

1 ~~the division may delegate complete authority for joint~~
 2 ~~agreements involving information technology resources to the~~
 3 ~~commission.~~ Agencies entering into joint purchasing
 4 agreements with the division ~~or the Information Resource~~
 5 ~~Commission, as appropriate,~~ shall authorize the division ~~or~~
 6 ~~commission~~ to contract for such purchases on their behalf.

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

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

25 (c)~~(d)~~ Agencies that sign such joint agreements are
 26 financially obligated for their portion of the agreed-upon
 27 funds. If any agency becomes more than 90 days delinquent in
 28 paying such funds, the Department of Management Services ~~or~~
 29 ~~the Information Resource Commission, as applicable,~~ shall
 30 certify to the Comptroller the amount due, and the Comptroller
 31 shall transfer the amount due to the Grants and Donations

1 Trust Fund of the division ~~or the Information Resource~~
2 ~~Commission, as appropriate,~~ from any of the agency's available
3 funds. The Comptroller shall report all such transfers and
4 the reasons for such transfers to the Executive Office of the
5 Governor and the legislative appropriations committees.

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

8 287.073 Procurement of information technology
9 resources.--

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

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

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

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

28 943.08 Duties; Criminal and Juvenile Justice
29 Information Systems Council.--

30 (3) The council shall develop and approve a strategic
31 plan pursuant to the requirements set forth in s. 186.022(9).

1 Copies of the approved plan shall be transmitted,
2 electronically or in writing, to the Executive Office of the
3 Governor, the Speaker of the House of Representatives, the
4 President of the Senate, and the council members.

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

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

17 Section 40. The administrative rules of the
18 Information Resource Commission shall remain in effect until
19 June 30, 1998, at which time such rules are repealed. However,
20 the judicial and legislative branches, the State University
21 System, and the Community College System are not bound by any
22 existing administrative rules adopted by the Information
23 Resource Commission.

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

30 Section 42. The Division of Statutory Revision of the
31 Joint Legislative Management Committee may prepare a reviser's

1 bill to conform any cross-references that are necessary as a
2 result of this act.

3 Section 43. For the purposes of sections 43 through
4 47, the word "agency" has the meaning ascribed in section
5 119.011, Florida Statutes.

6 Section 44. Notwithstanding any general or special law
7 to the contrary, the agencies of one or more local governments
8 may establish a collaborative client information system. State
9 agencies and private agencies may participate in the
10 collaborative information system. Data related to the
11 following areas may be included in the collaborative
12 information system, although the system is not limited to only
13 these types of information; criminal justice, juvenile
14 justice, education, employment training, health, and human
15 services.

16 Section 45. (1) The counties involved in the creation
17 and administration of a collaborative client information
18 system shall form a steering committee, consisting of
19 representatives of all agencies and organizations
20 participating in the system, to govern the organization and
21 administration of the collaborative system. Each steering
22 committee shall determine its procedures for governance of the
23 organization, participation in the collaborative information
24 system, and administration of the data in the system. Each
25 steering committee also must develop a security policy to be
26 followed by all agencies participating in the collaborative
27 system to ensure the integrity of the data in the
28 collaborative information system and to guarantee the privacy,
29 to the extent possible, of all clients served by an agency
30 that participates in the collaborative system.

31

1 (2) Before sharing confidential information with other
2 members of the information collaborative, each member of the
3 steering committee shall sign an agreement specifying, at a
4 minimum, the following information:

5 (a) What information each agency will share with the
6 collaborative;

7 (b) How the information will be shared;

8 (c) How clients will be notified that an agency
9 participates in the collaborative;

10 (d) Who in each agency will have access to the
11 information;

12 (e) The purposes to be served by sharing the
13 information;

14 (f) Assurances from each agency that it will maintain
15 the confidentiality of the information as required by law; and

16 (g) Other information decided upon by members of the
17 information cooperative.

18 Section 46. Notwithstanding any law to the contrary,
19 an agency that participates in the creation or administration
20 of a collaborative client information system may share client
21 information, including confidential client information, with
22 other members of the collaborative system as long as the
23 restrictions governing the confidential information are
24 observed by any other agency granted access to the
25 confidential information. An agency that participates in a
26 collaborative information system is not required to have a
27 release signed by its affected clients before sharing
28 confidential information with other members of the
29 collaborative system.

30 Section 47. An agency that receives moneys from a
31 federal, state, or local agency is encouraged to participate

1 in any collaborative client information system that is
2 available within the service area of the agency.

3 Section 48. Except as otherwise provided herein, this
4 act shall take effect July 1, 1997.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31