

By Senators Kirkpatrick, Sullivan and Forman

5-877-98

See HB

1 A bill to be entitled
2 An act relating to information resources
3 management; amending s. 186.021, F.S.;
4 providing that certain information resources
5 management projects are not required in agency
6 strategic plans; amending s. 216.181, F.S.;
7 providing that certain information resource
8 management projects are not subject to the
9 mandatory notice and review requirements for
10 amendments to agencies' original approved
11 operating budgets; amending s. 186.022, F.S.;
12 providing that certain coordinating councils
13 and boards are required to develop annual
14 performance reports; amending s. 282.3063,
15 F.S.; modifying the date for submission of the
16 Agency Annual Information Resources Management
17 Report; amending s. 282.310, F.S.; modifying
18 the date by which the State Annual Report on
19 Information Resources Management must be
20 developed; requiring the inclusion of specified
21 information within the report; amending s.
22 282.3091, F.S.; authorizing members of the
23 State Technology Council to appoint designees
24 to serve on their behalf; amending s. 282.404,
25 F.S.; removing the chair of the Geographic
26 Information Advisory Council as an ex officio
27 member of the Geographic Information Board;
28 requiring the chair to attend all meetings of
29 the Geographic Information Board on behalf of
30 the council; amending s. 215.96, F.S.;

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1 providing a technical correction; providing an
2 effective date.

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

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6 Section 1. Subsection (1) of section 186.021, Florida
7 Statutes, is amended to read:

8 186.021 State agency strategic plans.--

9 (1) A state agency strategic plan shall be a statement
10 of the priority directions an agency will take to carry out
11 its mission within the context of the state comprehensive plan
12 and any other statutory mandates and authorizations given to
13 the agency. Each state agency strategic plan must identify
14 infrastructure needs, capital improvement needs, and
15 information resources management projects or initiatives that
16 involve more than one agency, that have an outcome that
17 impacts another agency, or that exceed \$500,000 in total cost
18 over a 1-year period, except for those projects that are a
19 continuation of hardware or software maintenance or software
20 licensing agreements, or that are for desktop replacement that
21 is similar to the technology currently in use. Each agency
22 strategic plan shall specify those objectives against which
23 will be judged the agency's achievement of its goals and the
24 goals of the state comprehensive plan. The state agency
25 strategic plan shall be consistent with and shall further the
26 goals of the state comprehensive plan.

27 Section 2. Subsection (4) of section 216.181, Florida
28 Statutes, is amended to read:

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

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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, except for those projects that are a
11 continuation of hardware or software maintenance or software
12 licensing agreements, or that are for desktop replacement that
13 is similar to the technology currently in use.

14 Section 3. Subsection (9) of section 186.022, Florida
15 Statutes, is amended to read:

16 186.022 State agency strategic plans; preparation,
17 form, and review.--

18 (8) Each agency shall submit by September 1 of each
19 year an annual performance report to the Executive Office of
20 the Governor, with copies to the President of the Senate, the
21 Speaker of the House of Representatives, and the Auditor
22 General. The purpose of this report is to evaluate the
23 attainment of the agency objectives in the agency strategic
24 plan.

25 (9) By March 1 of each year, the Geographic
26 Information Board, the Financial Management Information Board,
27 the Criminal and Juvenile Justice Information Systems Council,
28 and the Health Information Systems Council shall each develop
29 a strategic plan following the general statutory requirements
30 that are applicable to agencies pursuant to s. 186.021(1),
31 (2), and (3). The strategic plan shall be subject to the

1 requirements, and the review and approval processes, set forth
2 in subsections (2) through (8)~~(7)~~, with the following
3 exceptions:

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

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

15 Section 4. Subsection (1) of section 282.3063, Florida
16 Statutes, is amended to read:

17 282.3063 Agency Annual Information Resources
18 Management Report.--

19 (1) By September 1 ~~November 1~~ of each year, and for
20 the State University System within 90 days after completion of
21 the expenditure analysis developed pursuant to s. 240.271(4),
22 each Chief Information Officer shall prepare and submit to the
23 State Technology Office an Agency Annual Information Resources
24 Management Report. Following consultation with the State
25 Technology Council and the Chief Information Officers Council,
26 the Executive Office of the Governor and the fiscal committees
27 of the Legislature shall jointly develop and issue
28 instructions for the format and contents of the report.

29 Section 5. Subsections (1) and (2) of section 282.310,
30 Florida Statutes, are amended to read:

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1 282.310 State Annual Report on Information Resources
2 Management.--

3 (1) By January 15 ~~March 1~~ of each year, the State
4 Technology Office shall develop a State Annual Report on
5 Information Resources Management.

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

8 (a) The state vision for information resources
9 management.

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

12 (c) A summary of major statewide policies recommended
13 by the State Technology Council for information resources
14 management.

15 (d) A summary of memoranda issued by the Executive
16 Office of the Governor.

17 (e) An assessment of the overall progress on state
18 information resources management initiatives and priorities
19 for the past fiscal year.

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

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

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

26 (i) A summary of the opportunities for government
27 agencies or entities to share information resources management
28 projects or initiatives with other governmental or private
29 sector entities.

30 (j) A list of the information resources management
31 issues that have been identified as statewide or critical

1 issues for which the State Technology Council could provide
2 leadership or assistance.

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4 The state annual report shall also include information
5 resources management information from the annual reports
6 prepared by the Board of Regents for the State University
7 System, from the State Board of Community Colleges for the
8 State Community College System, from the Supreme Court for the
9 judicial branch, and from the Justice Administrative
10 Commission on behalf of the ~~each state attorneys attorney~~ and
11 public defenders ~~defender~~. Expenditure information shall be
12 taken from each agency's annual report as well as the annual
13 reports of the Board of Regents, the State Board of Community
14 Colleges, the Supreme Court, and the Justice Administrative
15 Commission ~~the state attorneys, and the public defenders~~.

16 Section 6. Subsection (3) of section 282.3091, Florida
17 Statutes, is amended tor read:

18 282.3091 State Technology Council; creation.--

19 (3) The council shall be composed of nine members as
20 follows:

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

23 (b) The Comptroller.

24 (c) The Commissioner of Education.

25 (d) The Secretary of State.

26 (e) The secretary of the Department of Management
27 Services.

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

29 (g) Two private sector representatives, one appointed
30 by the Speaker of the House of Representatives and one
31 appointed by the President of the Senate, who are not current

1 members of the Legislature. Private sector representatives
2 shall, at a minimum, have a general knowledge of or experience
3 in managing information technology resources. However,
4 representatives of information technology resource vendors or
5 any of their subsidiaries that sell products or services to
6 the state shall not be appointed to serve as a private sector
7 representative.

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9 Members may appoint designees to serve on their behalf;
10 however, such designees must be in a position that reports
11 directly to the member.

12 Section 7. Subsections (3), (7), and (8) of section
13 282.404, Florida Statutes, are amended to read:

14 282.404 Geographic information board; definition;
15 membership; creation; duties; advisory council; membership;
16 duties.--

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

1 4-year terms. Thereafter, the terms of all appointed members
2 must be 4 years and the terms must be staggered. Members may
3 be appointed to successive terms and incumbent members may
4 continue to serve the board until a new appointment is made.
5 ~~The chair of the Geographic Information Advisory Council shall~~
6 ~~serve without voting rights as an ex officio member on the~~
7 ~~board.~~

8 (7) The Geographic Information Advisory Council
9 consists of one member each from the Office of Planning and
10 Budgeting within the Executive Office of the Governor, the
11 Game and Fresh Water Fish Commission, the Department of
12 Revenue, the Department of Agriculture and Consumer Services,
13 the Department of Community Affairs, the Department of
14 Environmental Protection, the Department of Transportation,
15 the State Cadastral Surveyor, ~~the State Geologist~~, the Board
16 of Professional Surveyors and Mappers, counties,
17 municipalities, regional planning councils, water management
18 districts, and property appraisers, as appointed by the
19 corresponding member of the board, and the State Geologist.
20 The Governor shall appoint to the council one member each, as
21 recommended by the respective organization, to represent ~~the~~
22 ~~Department of Commerce~~, the Department of Children and Family
23 Services, the Department of Health, the Florida Survey and
24 Mapping Society, Florida Region of the American Society of
25 Photogrammetry and Remote Sensing, Florida Association of
26 Cadastral Mappers, the ~~The~~ Florida Association of Professional
27 Geologists, Florida Engineering Society, Florida Chapter of
28 the Urban and Regional Information Systems Association, the
29 forestry industry, the State University System survey and
30 mapping academic research programs, and State University
31 System geographic information systems academic research

1 programs; and two members representing utilities, one from a
2 regional utility, and one from a local or municipal utility.
3 These persons must have technical expertise in geographic
4 information issues. The Governor shall initially appoint six
5 members to serve 2-year terms and six members to serve 4-year
6 terms. Thereafter, the terms of all appointed members must be
7 4 years and must be staggered. Members may be appointed to
8 successive terms and incumbent members may continue to serve
9 the council until a successor is appointed. Representatives of
10 the Federal Government may serve as ex officio members without
11 voting rights.

12 (8) A majority of the membership constitutes a quorum
13 for the conduct of business and shall elect the chair of the
14 advisory council biennially. The council shall meet at least
15 twice a year, and the chair may call meetings as often as
16 necessary to transact business or as directed by the board.
17 The chair, or his or her designee, shall attend all board
18 meetings on behalf of the council.Administrative and clerical
19 support shall be provided by the Department of Management
20 Services.

21 Section 8. Subsection (2) of section 215.96, Florida
22 Statutes, is amended to read:

23 215.96 Coordinating council and design and
24 coordination staff.--

25 (2) The coordinating council shall consist of the
26 Comptroller; the Treasurer; the secretary of the Department of
27 Management Services; and the Director of Planning and
28 Budgeting, Executive Office of the Governor, or their
29 designees. The Comptroller, or his or her designee, shall be
30 chair of the coordinating council, and the design and
31 coordination staff shall provide administrative and clerical

1 support to the council and the board. The design and
2 coordination staff shall maintain the minutes of each meeting
3 and shall make such minutes available to any interested
4 person. The Auditor General, the State Courts Administrator,
5 an executive officer of the Florida Association of State
6 Agency Administrative Services Directors, and an executive
7 officer of the Florida Association of State Budget Officers,
8 or their designees, shall serve without voting rights as ex
9 officio members on the coordinating council. The chair may
10 call meetings of the coordinating council as often as
11 necessary to transact business; however, the coordinating
12 council shall meet at least once a year. Action of the
13 coordinating council shall be by motion, duly made, seconded
14 and passed by a majority of the coordinating council voting in
15 the affirmative for approval of items that are to be
16 recommended for approval to the Financial Management
17 Information Board.

18 Section 9. This act shall take effect upon becoming a
19 law.

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HOUSE SUMMARY

With respect to information resources management, provides that information resources management projects that are a continuation of hardware or software maintenance or software licensing agreements, or that are for desktop replacement that is similar to technology currently in use, are not required to be identified within agency strategic plans and are not subject to the mandatory notice and review requirements for amendments to agencies' original approved operating budgets.

Requires the Geographic Information Board, the Financial Management Information Board, the Criminal and Juvenile Justice Information Systems Council, and the Health Information Systems Council to develop annual performance reports.

Changes the date for submission of the Agency Annual Information Resources Management Report from November 1 to September 1. Changes the date by which the State Annual Report on Information Resources Management must be developed from March 1 to January 15 and requires the inclusion of information resources management information from the Justice Administrative Commission's annual report within the report.

Authorizes members of the State Technology Council to appoint designees to serve on their behalf.

Removes the chair of the Geographic Information Advisory Council as a nonvoting ex officio member of the Geographic Information Board. Requires the chair of the Geographic Information Advisory Council to attend all meetings of the Geographic Information Board on behalf of the council.