

STORAGE NAME: h2075z.uco  
DATE: May 15, 2000

**\*\*FAILED TO PASS THE LEGISLATURE\*\***  
**HOUSE OF REPRESENTATIVES**

**AS REVISED BY THE COMMITTEE ON  
COMMITTEE ON UTILITIES & COMMUNICATIONS  
FINAL ANALYSIS**

**BILL #:** HB 2075, 1st ENG (PCB UCO 00-01)

**RELATING TO:** State Information Technology Management

**SPONSOR(S):** Committee on Utilities and Communications and Representative Rojas

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) UTILITIES AND COMMUNICATIONS YEAS 10 NAYS 0
  - (2) GOVERNMENTAL OPERATIONS YEAS 6 NAYS 0
  - (3) SENATE GOVERNMENTAL OVERSIGHT AND PRODUCTIVITY
  - (4) SENATE FISCAL POLICY
  - (5)
- 

**I. SUMMARY:**

Under current law, each state agency head is responsible for developing and implementing that agency's information resources programs. The Department of Management Services (DMS) is responsible for coordinating these programs, as well as the SUNCOM Network and the State Agency Law Enforcement Radio System.

This bill creates a Chief Information Officer in DMS to assume primary responsibility for agencies' information resource development and to provide direction to agencies on information technology matters.

This bill reiterates legislative intent with respect to the existing State Technology Office in DMS, enhances its responsibilities and clarifies that the office will be part of the agency's organization under chapter 20, F.S. It dissolves the State Technology Council and re-establishes the Task Force on Privacy and Technology.

Florida's state government currently has approximately 150 websites that are available to access by citizens and businesses. This bill lays the foundation for a "single portal" delivery system for state government services and information.

The bill also requires the State Technology Office to study the feasibility of implementing online voting in Florida and to report its findings to the Legislature and Governor.

**Note.** On April 5, 2000, the Committee on Governmental Operations adopted two amendments without objection, which will travel with the bill, and reported the bill favorably.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                                         |                             |                                         |
|-----------------------------------|-----------------------------------------|-----------------------------|-----------------------------------------|
| 1. <u>Less Government</u>         | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Chapter 282, F.S., provides that each state agency head is responsible and accountable for the planning, acquisition, development, use and management of information technology resources within the agency. The coordination of these efforts currently is assigned to the Department of Management Services (DMS). In addition, the department is responsible for administering the state's SUNCOM Network and the State Agency Law Enforcement Radio System.

A State Technology Office exists under s. 282.3093, F.S., within DMS and is charged with providing support to various workgroups, such as the State Technology Council and the Chief Information Officers Council, and with facilitating educational and training efforts with respect to the state's use and management of information technology resources.

Under current law, DMS may spend up to 1 percent of the SUNCOM Network's annual budget in any fiscal year for conducting experiments in communications technology and for implementing enhancements in the state's communications system. Funding for this purpose is derived from SUNCOM Network service revenues.

A State Technology Council exists in s. 282.3091, F.S., and is placed administratively in DMS. The council has the duty to recommend to the Executive Office of the Governor and to the Legislature statewide policies for information resources management. The council also is directed to establish a Task Force on Privacy and Technology and report in February, 2000 to the Governor and Legislature (this subsection is repealed July 1, 2000).

With respect to the issue of providing information and services to businesses and individuals electronically, the State Technology Office advises that state government currently has a cumbersome system, comprising nearly 150 individual websites.

C. EFFECT OF PROPOSED CHANGES:

This bill adds to current legislative intent and findings regarding the state's use and management of information technology. It re-states and enhances the responsibilities of the State Technology Office in DMS. The bill creates the Senior Management Service

position of Chief Information Officer to head the State Technology Office and makes the position a gubernatorial appointment.

It also assigns to the State Technology Office the function of information resources management for the executive branch and clarifies that the State Technology Office will be incorporated in the organizational structure of the Department of Management Services under chapter 20, F.S.

The bill increases the amount of money available to the State Technology Office for conducting experiments relating to the state's information technology services and for implementing enhancements to the system. The State Technology Office will be able to spend up to 2 percent of SUNCOM's annual budget for these purposes and will have access to other monies through the General Appropriations Act.

The bill repeals the State Technology Council and re-establishes the Privacy and Technology Task Force to be staffed by the State Technology Office.

The bill provides a mechanism for achieving the integrated, electronic deployment of government products, services and information to individuals and businesses. In conjunction with the effort to create a "single portal" strategy for Florida, the State Technology Office is directed to study the feasibility of implementing online voting in Florida and to report to the Legislature and Governor its findings and recommendations.

**D. SECTION-BY-SECTION ANALYSIS:**

Please see "Effect of Proposed Changes" section.

**III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

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C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill authorizes the State Technology Office to adopt rules relating to information technology and to implement the provisions of Part I, chapter 282, Florida Statutes.

C. OTHER COMMENTS:

HB 2075, 1st ENG died in the Senate Committee on Governmental Oversight and Productivity. Similar provisions passed the Legislature in CS/CS/SB 1334.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Utilities and Communications adopted two amendments to this bill. The first amendment amends s. 20.22, F.S., to place the State Technology Office in the Department of Management Services as part of that agency's organizational structure.

The second amendment adds language to s. 282.102, F.S., directing the State Technology Office to study the feasibility of implementing online voting in Florida and to make recommendations to the Governor and Legislature.

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On April 5, 2000, the Committee on Governmental Operations adopted two amendments without objection, which will travel with the bill, and reported the bill favorably. Amendments 2, 4 and 5 were withdrawn.

Amendment 1 provides a definition of "standards."

Amendment 3 provides that the State Technology Office shall not affect the supervision or data processing equipment of the Comptroller which is necessary for the exercise of his or her constitutional duties.

These amendments were adopted by the full House on April 24, 2000.

VII. SIGNATURES:

**COMMITTEE ON UTILITIES AND COMMUNICATIONS:**

Prepared by:

Staff Director:

Lisa Munroe

Patrick L. "Booter" Imhof

**AS REVISED BY THE COMMITTEE ON GOVERNMENTAL OPERATIONS:**

Prepared by:

Staff Director:

Douglas Pile

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**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON COMMITTEE ON UTILITIES & COMMUNICATIONS:**

Prepared by:

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