



CHAMBER ACTION

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The Committee on State Administration recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to the State Technology Office; amending s. 20.22, F.S.; conforming terminology; amending s. 282.0041, F.S.; defining "enterprise," "enterprise cost recovery," "enterprise program management office," "enterprise technology services desk," "portal," "service level agreement," and "State Chief Information Officer"; amending s. 282.005, F.S.; conforming terminology; amending s. 282.102, F.S.; changing title of the head of the State Technology Office; revising powers, duties, and functions of said office; providing for the office to establish open architecture standards, adopt security standards, provide disaster preparedness services, develop policies and procedures for agency information technology legislative budget requests, establish an information technology advisory team to review agency budget requests and make recommendations to the Governor and Legislature, develop enterprise systems and tools and services, deploy an enterprise technology services desk, facilitate



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29 development of a network access point, develop and operate  
30 an enterprise portal, and provide tools and services to  
31 agencies for use of such portal; authorizing said office  
32 to participate in planning of agency information  
33 technology projects and to provide agency project  
34 assistance, oversight, or management; authorizing the  
35 office to adopt rules and standards; amending s. 282.106,  
36 F.S.; requiring library to pay certain costs for use of  
37 SUNCOM Network; amending ss. 282.1095 and 282.111, F.S.;  
38 correcting terminology; amending s. 282.20, F.S.; renaming  
39 the Technology Resource Center as the Shared Resource  
40 Center; providing for oversight of operation and  
41 management by said office; amending s. 282.3055, F.S.;  
42 conforming terminology; amending s. 282.315, F.S.;  
43 providing that the Agency Chief Information Officers  
44 Council shall be chaired by the State Chief Information  
45 Officer; revising duties of Agency Chief Information  
46 Officers; amending s. 282.322, F.S.; redesignating the  
47 Enterprise Project Management Office of the State  
48 Technology Office as the Enterprise Program Management  
49 Office; revising duties of that office; creating s.  
50 282.323, F.S.; requiring agencies to submit disaster  
51 preparedness plans to the State Technology Office;  
52 requiring the State Technology Office to create an  
53 enterprise business continuity and disaster preparedness  
54 plan; requiring designation of an Enterprise Business  
55 Continuity Officer to administer plan and training  
56 exercises; amending s. 11.45, F.S., and repealing s.



57 | 365.173(3), F.S.; deleting requirements that the Auditor  
 58 | General annually audit the Wireless Emergency Telephone  
 59 | System Fund; amending ss. 110.205, 216.235, 216.292, and  
 60 | 395.1031, F.S.; conforming terminology; amending ss.  
 61 | 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, and  
 62 | 401.245, F.S., relating to legislative intent, the  
 63 | statewide regional emergency medical telecommunication  
 64 | system, system coordination, system director, system  
 65 | approval, federal assistance, and the Emergency Medical  
 66 | Services Advisory Council; deleting reference to the  
 67 | Department of Management Services; providing reference to  
 68 | the State Technology Office; deleting reference to the  
 69 | Secretary of Management Services; providing reference to  
 70 | the State Chief Information Officer; providing an  
 71 | effective date.

72 |  
 73 | Be It Enacted by the Legislature of the State of Florida:  
 74 |

75 | Section 1. Subsection (3) of section 20.22, Florida  
 76 | Statutes, is amended to read:

77 | 20.22 Department of Management Services.--There is created  
 78 | a Department of Management Services.

79 | (3) The State Technology Office shall operate and manage  
 80 | the Shared Technology Resource Center.

81 | Section 2. Present subsections (5), (6), (7), (8), (9),  
 82 | (10), (11), and (12) of section 282.0041, Florida Statutes, are  
 83 | renumbered as subsections (8), (9), (11), (13), (15), (16),



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84 (18), and (19), respectively, and new subsections (5), (6), (7),  
85 (10), (12), (14), and (17) are added to said section, to read:

86 282.0041 Definitions.--For the purposes of this part, the  
87 term:

88 (5) "Enterprise" means all agencies in total, as well as  
89 nonprofit organizations eligible for services as defined in this  
90 chapter.

91 (6) "Enterprise cost recovery" means the practice of  
92 recovering the costs associated with providing information  
93 technology and telecommunications services.

94 (7) "Enterprise program management office" means the  
95 office within the State Technology Office responsible for  
96 management or oversight of major information technology  
97 projects.

98 (8)(5) "Enterprise resources management infrastructure"  
99 means the hardware, software, networks, data, human resources,  
100 policies, standards, facilities, maintenance, and related  
101 materials and services that are required to support the business  
102 processes of an agency or state enterprise.

103 (9)(6) "Enterprise resource planning and management" means  
104 the planning, budgeting, acquiring, developing, organizing,  
105 directing, training, control, and related services associated  
106 with government information technology. The term encompasses  
107 information and related resources, as well as the controls  
108 associated with their acquisition, development, dissemination,  
109 and use.

110 (10) "Enterprise technology services desk" means a  
111 solution that provides information technology services support



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112 to all entities within an enterprise and that facilitates  
113 enterprise data security monitoring and alerts, reporting,  
114 network and performance monitoring, asset management, change  
115 management, and technology systems capacity and configuration  
116 management for the purpose of effectively sharing resources and  
117 information across the enterprise.

118 (11)(7) "Information technology" means equipment,  
119 hardware, software, firmware, programs, systems, networks,  
120 infrastructure, media, and related material used to  
121 automatically, electronically, and wirelessly collect, receive,  
122 access, transmit, display, store, record, retrieve, analyze,  
123 evaluate, process, classify, manipulate, manage, assimilate,  
124 control, communicate, exchange, convert, converge, interface,  
125 switch, or disseminate information of any kind or form.

126 (12) "Portal" means a single point of entry to state  
127 information, services, and websites on the Internet.

128 (13)(8) "Project" means an undertaking directed at the  
129 accomplishment of a strategic objective relating to enterprise  
130 resources management or a specific appropriated program.

131 (14) "Service level agreement" means a baseline of  
132 expectations and the roles and responsibilities for information  
133 technology services in accordance with s. 282.005(5). This  
134 agreement sets service provider and recipient expectations,  
135 describes the products or services to be delivered, identifies  
136 contacts for end-user problems, and specifies the metrics by  
137 which the effectiveness of service activities, functions, and  
138 processes will be measured, examined, changed, and controlled.



139        ~~(15)(9)~~ "State Annual Report on Enterprise Resource  
140 Planning and Management" means the report prepared by the State  
141 Technology Office as defined in s. 282.102.

142        ~~(16)(10)~~ "Standards" means the use of current, open,  
143 nonproprietary, or non-vendor-specific technologies.

144        (17) "State Chief Information Officer" means the  
145 individual identified in s. 282.102 who is appointed by the  
146 Governor, is in the Senior Management Service, is an agency head  
147 for all purposes, and is responsible for carrying out the  
148 powers, duties, and functions defined in s. 282.102.

149        ~~(18)(11)~~ "State Technology Office" or "office" means the  
150 office created in s. 282.102.

151        ~~(19)(12)~~ "Total cost" means all costs associated with  
152 information technology projects or initiatives, including, but  
153 not limited to, value of hardware, software, service,  
154 maintenance, incremental personnel, and facilities. Total cost  
155 of a loan or gift of information technology resources to an  
156 agency includes the fair market value of the resources, except  
157 that the total cost of loans or gifts of information technology  
158 to state universities to be used in instruction or research does  
159 not include fair market value.

160        Section 3. Subsection (4) of section 282.005, Florida  
161 Statutes, is amended to read:

162        282.005 Legislative findings and intent.--The Legislature  
163 finds that:

164        (4) The cost-effective deployment of information  
165 technology by state agencies can best be managed by a State  
166 Chief Information Officer.



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167 Section 4. Section 282.102, Florida Statutes, is amended  
168 to read:

169 282.102 Creation of the State Technology Office; powers  
170 and duties.--There is created a State Technology Office within  
171 the Department of Management Services. The office shall be a  
172 separate budget entity, and shall be headed by a State Chief  
173 Information Officer who is appointed by the Governor and is in  
174 the Senior Management Service. The State Chief Information  
175 Officer shall be an agency head for all purposes. The Department  
176 of Management Services shall provide administrative support and  
177 service to the office to the extent requested by the State Chief  
178 Information Officer. The office may adopt policies and  
179 procedures regarding personnel, procurement, and transactions  
180 for State Technology Office personnel. The office shall have the  
181 following powers, duties, and functions:

182 (1) To publish electronically the portfolio of services  
183 available from the office, including pricing information; the  
184 policies and procedures of the office governing usage of  
185 available services; ~~and~~ a forecast of the priorities and  
186 initiatives for the state communications system for the ensuing  
187 2 years; and the State Annual Report on Enterprise Resource  
188 Planning and Management required by s. 282.310.

189 (2) To adopt rules implementing policies and procedures  
190 ~~providing best practices~~ to be followed by agencies in  
191 acquiring, using, upgrading, modifying, replacing, or disposing  
192 of information technology.

193 (3) To establish open architecture standards for state  
194 information technology infrastructure that promote efficient use



195 of resources and economic development and facilitate the conduct  
196 of electronic business within government.

197 (4) To adopt minimum information technology security  
198 standards and best practices to be used by agencies and to  
199 conduct or coordinate information technology security audits of  
200 agencies to the extent possible within appropriated resources.

201 (5) To provide enterprise business continuity and disaster  
202 preparedness planning services, which may include conducting  
203 risk assessments of, participating in the development of, or  
204 overseeing or managing aspects of agency disaster preparedness  
205 plans relating to information technology; coordinating business  
206 continuity mock training exercises; and providing information  
207 technology disaster preparedness training.

208 (6) To develop policies and procedures for agency  
209 information technology legislative budget requests and to  
210 establish an information technology advisory team to review,  
211 prioritize, and make recommendations regarding such requests  
212 based on considerations that include existing technology,  
213 compliance with open architecture standards, cost effectiveness  
214 and efficiency, and the need for office assistance, oversight,  
215 or management. The team's recommendations shall be provided to  
216 the Executive Office of the Governor and the chairs of the  
217 legislative appropriations committees.

218 (7) To develop and own or sponsor enterprise information  
219 technology systems, tools, and services which meet standards  
220 established by the office.

221 (8) To deploy an enterprise technology services desk.





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222           (9) To facilitate the development of a network access  
223 point in this state, as needed.

224           (10) To develop and operate an enterprise portal and to  
225 provide tools and services for agency enterprise portal  
226 utilization that ensure compliance with enterprise portal  
227 standards established by the office.

228           ~~(11)(3)~~ To perform, in consultation with an agency, the  
229 enterprise resource planning and management for the agency.

230           (12) To participate in the planning of, and to provide  
231 project assistance, oversight, or management for, agency  
232 information technology projects when determined appropriate by  
233 the State Chief Information Officer and to the extent possible  
234 within appropriated resources.

235           ~~(4) To advise and render aid to state agencies and~~  
236 ~~political subdivisions of the state as to systems or methods to~~  
237 ~~be used for organizing and meeting information technology~~  
238 ~~requirements efficiently and effectively.~~

239           ~~(13)(5)~~ To integrate agency the information technology  
240 systems and services and ~~of state agencies.~~

241           ~~(6)~~ to adopt technical standards for the state information  
242 technology system that ensure ~~which will assure~~ the  
243 interconnection of agency computer networks and information  
244 systems ~~of agencies.~~

245           ~~(14)(7)~~ To assume management responsibility for any  
246 integrated information technology system or service when  
247 determined by the office to be economically efficient or  
248 performance-effective.



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249        ~~(15)(8)~~ To enter into service level agreements related to  
250 information technology with state agencies and political  
251 subdivisions of the state.

252        ~~(16)(9)~~ To use and acquire, with agency concurrence,  
253 information technology now owned or operated by any agency.

254        ~~(17)(10)~~ To purchase from or contract with information  
255 technology providers for information technology, including  
256 private line services.

257        ~~(18)(11)~~ To apply for, receive, and hold, and to assist  
258 agencies in applying for, receiving, or holding, such  
259 authorizations, patents, copyrights, trademarks, service marks,  
260 licenses, and allocations or channels and frequencies to carry  
261 out the purposes of this part.

262        ~~(19)(12)~~ To purchase, lease, or otherwise acquire and to  
263 hold, sell, transfer, license, or otherwise dispose of real,  
264 personal, and intellectual property, including, but not limited  
265 to, patents, trademarks, copyrights, and service marks.

266        ~~(20)(13)~~ To cooperate with any federal, state, or local  
267 emergency management agency in providing for emergency  
268 communications services.

269        ~~(21)(14)~~ To delegate, as necessary, to state agencies the  
270 authority to purchase, lease, or otherwise acquire and to use  
271 information technology or, as necessary, to control and approve  
272 the purchase, lease, or acquisition and the use of all  
273 information technology, including, but not limited to,  
274 communications services provided as part of any other total  
275 system to be used by the state or ~~any of~~ its agencies.



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276        (22)~~(15)~~ To acquire ownership, possession, custody, and  
277 control of existing communications equipment and facilities,  
278 including all right, title, interest, and equity therein, as  
279 necessary, to carry out the purposes of this part. However, the  
280 provisions of this subsection shall in no way affect the rights,  
281 title, interest, or equity in any such equipment or facilities  
282 owned by, or leased to, the state or any state agency by any  
283 telecommunications company.

284        ~~(16) To adopt rules pursuant to ss. 120.536(1) and 120.54~~  
285 ~~relating to information technology and to administer the~~  
286 ~~provisions of this part.~~

287        (23)~~(17)~~ To advise political subdivisions of the state as  
288 to systems or methods to be used for organizing and meeting  
289 information technology requirements efficiently and effectively  
290 and to provide a means whereby political subdivisions of the  
291 state may use state information technology systems upon such  
292 terms and under such conditions as the office may establish.

293        (24)~~(18)~~ To apply for and accept federal funds for any of  
294 the purposes of this part as well as gifts and donations from  
295 individuals, foundations, and private organizations.

296        (25)~~(19)~~ To monitor issues relating to communications  
297 facilities and services before the Florida Public Service  
298 Commission and, when necessary, prepare position papers, prepare  
299 testimony, appear as a witness, and retain witnesses on behalf  
300 of state agencies in proceedings before the commission.

301        (26)~~(20)~~ Unless delegated to the agencies by the State  
302 Chief Information Officer, to manage and control, but not



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303 intercept or interpret, communications within the SUNCOM Network  
304 by:

305 (a) Establishing technical standards to physically  
306 interface with the SUNCOM Network.

307 (b) Specifying how communications are transmitted within  
308 the SUNCOM Network.

309 (c) Controlling the routing of communications within the  
310 SUNCOM Network.

311 (d) Establishing standards, policies, and procedures for  
312 access to the SUNCOM Network.

313 (e) Ensuring orderly and reliable communications services  
314 in accordance with the service level agreements executed with  
315 state agencies.

316 (27)~~(21)~~ To plan, design, and conduct experiments for  
317 information technology services, equipment, and technologies,  
318 and to implement enhancements in the state information  
319 technology system when in the public interest and cost-  
320 effective. Funding for such experiments shall be derived from  
321 SUNCOM Network service revenues and shall not exceed 2 percent  
322 of the annual budget for the SUNCOM Network for any fiscal year  
323 or as provided in the General Appropriations Act. New services  
324 offered as a result of this subsection shall not affect existing  
325 rates for facilities or services.

326 (28)~~(22)~~ To enter into contracts or agreements, with or  
327 without competitive bidding or procurement, to make available,  
328 on a fair, reasonable, and nondiscriminatory basis, property and  
329 other structures under office control for the placement of new  
330 facilities by any wireless provider of mobile service as defined



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331 in 47 U.S.C. s. 153(n) or s. 332(d) and any telecommunications  
332 company as defined in s. 364.02 when it is determined to be  
333 practical and feasible to make such property or other structures  
334 available. The office may, without adopting a rule, charge a  
335 just, reasonable, and nondiscriminatory fee for the placement of  
336 the facilities, payable annually, based on the fair market value  
337 of space used by comparable communications facilities in the  
338 state. The office and a wireless provider or telecommunications  
339 company may negotiate the reduction or elimination of a fee in  
340 consideration of services provided to the office by the wireless  
341 provider or telecommunications company. All such fees collected  
342 by the office shall be deposited directly into the Law  
343 Enforcement Radio Operating Trust Fund, and may be used by the  
344 office to construct, maintain, or support the system.

345 (29)~~(23)~~ To provide an integrated electronic system for  
346 deploying government products, services, and information to  
347 individuals and businesses.

348 (a) The integrated electronic system shall reflect cost-  
349 effective deployment strategies in keeping with industry  
350 standards and practices, including protections and security of  
351 private information as well as maintenance of public records.

352 (b) The office shall provide a method for assessing fiscal  
353 accountability for the integrated electronic system and shall  
354 establish the organizational structure required to implement  
355 this system.

356 (30)~~(24)~~ To provide administrative support to the Agency  
357 Chief Information Officers Council and other workgroups created  
358 by the State Chief Information Officer.



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359        (31)~~(25)~~ To facilitate state information technology  
360 education and training for senior management and other agency  
361 staff.

362        (32)~~(26)~~ To prepare, on behalf of the Executive Office of  
363 the Governor, memoranda on recommended guidelines and best  
364 practices for information resources management, when requested.

365        ~~(27) To prepare, publish, and disseminate the State Annual  
366 Report on Enterprise Resource Planning and Management under s.  
367 282.310.~~

368        ~~(28) To study and make a recommendation to the Governor  
369 and Legislature on the feasibility of implementing online voting  
370 in this state.~~

371        ~~(29) To facilitate the development of a network access  
372 point in this state, as needed.~~

373        (33)~~(30)~~ To designate a State Chief Privacy Officer who  
374 shall be responsible for the continual review of policies, laws,  
375 rules, and practices of state agencies which may affect the  
376 privacy concerns of state residents.

377        (34) To develop rules pursuant to ss. 120.536(1) and  
378 120.54 relating to information technology and to administer the  
379 provisions of this part.

380        Section 5. Section 282.106, Florida Statutes, is amended  
381 to read:

382        282.106 Use of SUNCOM Network by libraries.--The State  
383 Technology Office may provide SUNCOM Network services to any  
384 library in the state, including libraries in public schools,  
385 community colleges, state universities, and nonprofit private  
386 postsecondary educational institutions, and libraries owned and



387 | operated by municipalities and political subdivisions. A library  
 388 | shall pay installation costs and recurring costs according to  
 389 | the office's published rates for SUNCOM Network services.

390 | Section 6. Paragraph (a) of subsection (2) of section  
 391 | 282.1095, Florida Statutes, is amended to read:

392 | 282.1095 State agency law enforcement radio system.--

393 | (2)(a) The Joint Task Force on State Agency Law  
 394 | Enforcement Communications shall consist of eight members, as  
 395 | follows:

396 | 1. A representative of the Division of Alcoholic Beverages  
 397 | and Tobacco of the Department of Business and Professional  
 398 | Regulation who shall be appointed by the secretary of the  
 399 | department.

400 | 2. A representative of the Division of Florida Highway  
 401 | Patrol of the Department of Highway Safety and Motor Vehicles  
 402 | who shall be appointed by the executive director of the  
 403 | department.

404 | 3. A representative of the Department of Law Enforcement  
 405 | who shall be appointed by the executive director of the  
 406 | department.

407 | 4. A representative of the Fish and Wildlife Conservation  
 408 | Commission who shall be appointed by the executive director of  
 409 | the commission.

410 | 5. A representative of the Division of Law Enforcement of  
 411 | the Department of Environmental Protection who shall be  
 412 | appointed by the secretary of the department.

413 | 6. A representative of the Department of Corrections who  
 414 | shall be appointed by the secretary of the department.



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415 7. A representative of the Division of State Fire Marshal  
416 of the Department of Financial Services ~~Insurance~~ who shall be  
417 appointed by the Chief Financial Officer ~~State Fire Marshal~~.

418 8. A representative of the Department of Transportation  
419 who shall be appointed by the secretary of the department.

420 Section 7. Subsection (4) of section 282.111, Florida  
421 Statutes, is amended to read:

422 282.111 Statewide system of regional law enforcement  
423 communications.--

424 (4) The State Chief Information Officer ~~of the State~~  
425 ~~Technology Office~~ or his or her designee is designated as the  
426 director of the statewide system of regional law enforcement  
427 communications and, for the purpose of carrying out the  
428 provisions of this section, is authorized to coordinate the  
429 activities of the system with other interested state agencies  
430 and local law enforcement agencies.

431 Section 8. Section 282.20, Florida Statutes, is amended to  
432 read:

433 282.20 Shared ~~Technology~~ Resource Center.--

434 (1)(a) The State Technology Office shall oversee operation  
435 and management of ~~operate and manage~~ the Shared ~~Technology~~  
436 Resource Center.

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

438 1. "Information-system utility" means a full-service  
439 information-processing facility offering hardware, software,  
440 operations, integration, networking, and consulting services.





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441           2. "Customer" means a state agency or other entity which  
442 is authorized to utilize the SUNCOM Network pursuant to this  
443 part.

444           (2) The Shared Technology Resource Center shall:

445           (a) Serve the office and other customers as an  
446 information-system utility.

447           (b) Cooperate with customers to offer, develop, and  
448 support a wide range of services and applications needed by  
449 users of the Shared Technology Resource Center.

450           (c) Cooperate with the Florida Legal Resource Center of  
451 the Department of Legal Affairs and other state agencies to  
452 develop and provide access to repositories of legal information  
453 throughout the state.

454           (d) Cooperate with the office to facilitate  
455 interdepartmental networking and integration of network services  
456 for its customers.

457           (e) Assist customers in testing and evaluating new and  
458 emerging technologies that could be used to meet the needs of  
459 the state.

460           (3) The office may contract with customers to provide any  
461 combination of services necessary for agencies to fulfill their  
462 responsibilities and to serve their users.

463           (4) The Shared Technology Resource Center may plan,  
464 design, establish pilot projects for, and conduct experiments  
465 with information technology resources, and may implement  
466 enhancements in services when such implementation is cost-  
467 effective. Funding for experiments and pilot projects shall be  
468 derived from service revenues and may not exceed 5 percent of



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469 the service revenues for the Shared ~~Technology~~ Resource Center  
470 for any single fiscal year. Any experiment, pilot project, plan,  
471 or design must be approved by the State Chief Information  
472 Officer.

473 (5) Notwithstanding the provisions of s. 216.272, the  
474 Shared ~~Technology~~ Resource Center may spend funds in the reserve  
475 account of the Technology Enterprise Operating Trust Fund for  
476 enhancements to center operations or for information technology  
477 resources. Any expenditure of reserve account funds must be  
478 approved by the State Chief Information Officer. Any funds  
479 remaining in the reserve account at the end of the fiscal year  
480 may be carried forward and spent as approved by the State Chief  
481 Information Officer, provided that such approval conforms to any  
482 applicable provisions of chapter 216.

483 Section 9. Paragraph (a) of subsection (1) of section  
484 282.3055, Florida Statutes, is amended to read:

485 282.3055 Agency Chief Information Officer; appointment;  
486 duties.--

487 (1)(a) To assist the State Technology Officer in carrying  
488 out the enterprise resource planning and management  
489 responsibilities, the State Chief Information Officer may  
490 appoint or contract for an Agency Chief Information Officer.  
491 This position may be full time or part time.

492 Section 10. Subsection (1) of section 282.315, Florida  
493 Statutes, is amended to read:

494 282.315 Agency Chief Information Officers Council;  
495 creation.--The Legislature finds that enhancing communication,  
496 consensus building, coordination, and facilitation of statewide



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497 enterprise resource planning and management issues is essential  
498 to improving state management of such resources.

499 (1) There is created an Agency Chief Information Officers  
500 Council, chaired by the State Chief Information Officer or a  
501 designee, to:

502 (a) Enhance communication among the Agency Chief  
503 Information Officers by sharing enterprise resource planning and  
504 management experiences and exchanging ideas.

505 (b) Facilitate the sharing of best practices that are  
506 characteristic of highly successful technology organizations, as  
507 well as exemplary information technology applications of state  
508 agencies.

509 (c) Identify efficiency opportunities among state  
510 agencies. Each Agency Chief Information Officer shall focus on  
511 procuring information technology resources that can be used  
512 across the enterprise.

513 (d) Serve as an educational forum for enterprise resource  
514 planning and management issues.

515 (e) Assist the State Technology Office in identifying  
516 critical statewide issues and, when appropriate, make  
517 recommendations for solving enterprise resource planning and  
518 management deficiencies.

519 Section 11. Section 282.322, Florida Statutes, is amended  
520 to read:

521 282.322 Special monitoring process for designated  
522 information resources management projects.--

523 (1) For each information resources management project  
524 which is designated for special monitoring in the General



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525 Appropriations Act, with a proviso requiring a contract with a  
526 project monitor, the Technology Review Workgroup established  
527 pursuant to s. 216.0446, in consultation with each affected  
528 agency, shall be responsible for contracting with the project  
529 monitor. Upon contract award, funds equal to the contract amount  
530 shall be transferred to the Technology Review Workgroup upon  
531 request and subsequent approval of a budget amendment pursuant  
532 to s. 216.292. With the concurrence of the Legislative Auditing  
533 Committee, the office of the Auditor General shall be the  
534 project monitor for other projects designated for special  
535 monitoring. However, nothing in this section precludes the  
536 Auditor General from conducting such monitoring on any project  
537 designated for special monitoring. In addition to monitoring and  
538 reporting on significant communications between a contracting  
539 agency and the appropriate federal authorities, the project  
540 monitoring process shall consist of evaluating each major stage  
541 of the designated project to determine whether the deliverables  
542 have been satisfied and to assess the level of risks associated  
543 with proceeding to the next stage of the project. The major  
544 stages of each designated project shall be determined based on  
545 the agency's information systems development methodology. Within  
546 20 days after an agency has completed a major stage of its  
547 designated project or at least 90 days, the project monitor  
548 shall issue a written report, including the findings and  
549 recommendations for correcting deficiencies, to the agency head,  
550 for review and comment. Within 20 days after receipt of the  
551 project monitor's report, the agency head shall submit a written  
552 statement of explanation or rebuttal concerning the findings and



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553 recommendations of the project monitor, including any corrective  
554 action to be taken by the agency. The project monitor shall  
555 include the agency's statement in its final report, which shall  
556 be forwarded, within 7 days after receipt of the agency's  
557 statement, to the agency head, the inspector general's office of  
558 the agency, the Executive Office of the Governor, the  
559 appropriations committees of the Legislature, the Joint  
560 Legislative Auditing Committee, the Technology Review Workgroup,  
561 the President of the Senate, the Speaker of the House of  
562 Representatives, and the Office of Program Policy Analysis and  
563 Government Accountability. The Auditor General shall also  
564 receive a copy of the project monitor's report for those  
565 projects in which the Auditor General is not the project  
566 monitor.

567 (2) The Enterprise Program ~~Project~~ Management Office of  
568 the State Technology Office shall report any information  
569 technology projects the office identifies as high-risk to the  
570 Executive Office of the Governor, the President of the Senate,  
571 the Speaker of the House of Representatives, and the chairs of  
572 the appropriations committees. Within the limits of current  
573 appropriations, the Enterprise Program ~~Project~~ Management Office  
574 shall monitor and report on such high-risk information  
575 technology projects, and assess the levels of risks associated  
576 with proceeding to the next stage of the project.

577 (3) The Enterprise Program Management Office shall plan,  
578 design, develop, and implement key enterprise projects as  
579 determined by the State Chief Information Officer and shall be  
580 involved in the planning stages of agency information technology



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581 projects to ensure a comprehensive approach to technology  
582 solutions. The Enterprise Program Management Office shall  
583 develop enterprise integration guidelines and adopt project  
584 management standards.

585 Section 12. Section 282.323, Florida Statutes, is created  
586 to read:

587 282.323 Enterprise business continuity and disaster  
588 preparedness plan.--

589 (1) Each agency, as defined in s. 282.0041(1), shall  
590 submit a copy of the disaster preparedness plan required by s.  
591 252.365(3) to the State Technology Office no later than July 15,  
592 2003. The State Technology Office shall, no later than September  
593 30, 2003, review and consolidate those plans into a single  
594 enterprise business continuity and disaster preparedness plan.

595 (2) The State Chief Information Officer shall designate an  
596 Enterprise Business Continuity Officer to administer the  
597 enterprise business continuity and disaster preparedness plan  
598 required by this section and to annually administer a minimum of  
599 two business continuity disaster preparedness mock training  
600 exercises in the state, at least one of which must be an  
601 unscheduled, random exercise.

602 Section 13. Paragraphs (e) through (k) of subsection (2)  
603 of section 11.45, Florida Statutes, are amended to read:

604 11.45 Definitions; duties; authorities; reports; rules.--

605 (2) DUTIES.--The Auditor General shall:

606 ~~(e) Annually conduct an audit of the Wireless Emergency~~  
607 ~~Telephone System Fund as described in s. 365.173.~~



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608        ~~(e)~~(f) At least every 2 years, conduct operational audits  
609 of the accounts and records of state agencies and universities.  
610 In connection with these audits, the Auditor General shall give  
611 appropriate consideration to reports issued by state agencies'  
612 inspectors general or universities' inspectors general and the  
613 resolution of findings therein.

614        ~~(f)~~(g) At least every 2 years, conduct a performance audit  
615 of the local government financial reporting system, which, for  
616 the purpose of this chapter, means any statutory provisions  
617 related to local government financial reporting. The purpose of  
618 such an audit is to determine the accuracy, efficiency, and  
619 effectiveness of the reporting system in achieving its goals and  
620 to make recommendations to the local governments, the Governor,  
621 and the Legislature as to how the reporting system can be  
622 improved and how program costs can be reduced. The local  
623 government financial reporting system should provide for the  
624 timely, accurate, uniform, and cost-effective accumulation of  
625 financial and other information that can be used by the members  
626 of the Legislature and other appropriate officials to accomplish  
627 the following goals:

- 628            1. Enhance citizen participation in local government;
- 629            2. Improve the financial condition of local governments;
- 630            3. Provide essential government services in an efficient  
631 and effective manner; and
- 632            4. Improve decisionmaking on the part of the Legislature,  
633 state agencies, and local government officials on matters  
634 relating to local government.



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635        (g)~~(h)~~ Once every 3 years, conduct performance audits of  
636 the Department of Revenue's administration of the ad valorem tax  
637 laws as described in s. 195.096.

638        (h)~~(i)~~ Once every 3 years, conduct financial audits of the  
639 accounts and records of all district school boards in counties  
640 with populations of 125,000 or more, according to the most  
641 recent federal decennial statewide census.

642        (i)~~(j)~~ Once every 3 years, review a sample of each state  
643 agency's internal audit reports to determine compliance with  
644 current Standards for the Professional Practice of Internal  
645 Auditing or, if appropriate, government auditing standards.

646        (j)~~(k)~~ Conduct audits of local governmental entities when  
647 determined to be necessary by the Auditor General, when directed  
648 by the Legislative Auditing Committee, or when otherwise  
649 required by law. No later than 18 months after the release of  
650 the audit report, the Auditor General shall perform such  
651 appropriate followup procedures as he or she deems necessary to  
652 determine the audited entity's progress in addressing the  
653 findings and recommendations contained within the Auditor  
654 General's previous report. The Auditor General shall provide a  
655 copy of his or her determination to each member of the audited  
656 entity's governing body and to the Legislative Auditing  
657 Committee.

658  
659 The Auditor General shall perform his or her duties  
660 independently but under the general policies established by the  
661 Legislative Auditing Committee. This subsection does not limit  
662 the Auditor General's discretionary authority to conduct other





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663 audits or engagements of governmental entities as authorized in  
664 subsection (3).

665 Section 14. Subsection (3) of section 365.173, Florida  
666 Statutes, is repealed.

667 365.173 Wireless Emergency Telephone System Fund.--

668 ~~(3) The Auditor General shall annually audit the fund to~~  
669 ~~ensure that moneys in the fund are being managed in accordance~~  
670 ~~with this section and s. 365.172. The Auditor General shall~~  
671 ~~provide a report of the annual audit to the board.~~

672 Section 15. Paragraph (e) of subsection (2) of section  
673 110.205, Florida Statutes, is amended to read:

674 110.205 Career service; exemptions.--

675 (2) EXEMPT POSITIONS.--The exempt positions that are not  
676 covered by this part include the following:

677 (e) The State Chief Information Officer, deputy chief  
678 information officers, chief technology officers, and deputy  
679 chief technology officers in the State Technology Office. Unless  
680 otherwise fixed by law, the State Technology Office shall set  
681 the salary and benefits of these positions in accordance with  
682 the rules of the Senior Management Service.

683 Section 16. Paragraph (c) of subsection (4) of section  
684 216.235, Florida Statutes, is amended to read:

685 216.235 Innovation Investment Program.--

686 (4) There is hereby created the State Innovation  
687 Committee, which shall have final approval authority as to which  
688 innovative investment projects submitted under this section  
689 shall be funded. Such committee shall be comprised of seven



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690 members. Appointed members shall serve terms of 1 year and may  
691 be reappointed. The committee shall include:

692 (c) The State Chief Information Officer in the State  
693 Technology Office.

694 Section 17. Subsection (9) of section 216.292, Florida  
695 Statutes, is amended to read:

696 216.292 Appropriations nontransferable; exceptions.--

697 (9) Moneys appropriated in the General Appropriations Act  
698 for the purpose of paying for services provided by the State  
699 Technology Office ~~state communications system in the Department~~  
700 ~~of Management Services~~ shall be paid by the user agencies, or  
701 the judicial branch, within 45 days after the billing date.  
702 Billed amounts not paid by the user agencies, or by the judicial  
703 branch, shall be transferred by the Department of Financial  
704 Services ~~Comptroller~~ from the user agencies to the  
705 Communications Working Capital Trust Fund.

706 Section 18. Section 395.1031, Florida Statutes, is amended  
707 to read:

708 395.1031 Emergency medical services; communication.--Each  
709 licensed hospital with an emergency department must be capable  
710 of communicating by two-way radio with all ground-based basic  
711 life support service vehicles and advanced life support service  
712 vehicles that operate within the hospital's service area under a  
713 state permit and with all rotorcraft air ambulances that operate  
714 under a state permit. The hospital's radio system must be  
715 capable of interfacing with municipal mutual aid channels  
716 designated by the State Technology Office ~~Department of~~  
717 ~~Management Services~~ and the Federal Communications Commission.



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718 Section 19. Section 401.013, Florida Statutes, is amended  
719 to read:

720 401.013 Legislative intent.--It is the intention and  
721 purpose of the Legislature that a statewide system of regional  
722 emergency medical telecommunications be developed whereby  
723 maximum use of existing radio channels is achieved in order to  
724 more effectively and rapidly provide emergency medical service  
725 to the general population. To this end, all emergency medical  
726 service entities within the state are directed to provide the  
727 State Technology Office ~~Department of Management Services~~ with  
728 any information that office ~~the department~~ requests for the  
729 purpose of implementing the provisions of s. 401.015, and such  
730 entities shall comply with the resultant provisions established  
731 pursuant to this part.

732 Section 20. Section 401.015, Florida Statutes, is amended  
733 to read:

734 401.015 Statewide regional emergency medical  
735 telecommunication system.--The State Technology Office  
736 ~~Department of Management Services~~ is authorized and directed to  
737 develop a statewide system of regional emergency medical  
738 telecommunications. For the purpose of this part, the term  
739 "telecommunications" means those voice, data, and signaling  
740 transmissions and receptions between emergency medical service  
741 components, including, but not limited to: ambulances; rescue  
742 vehicles; hospitals or other related emergency receiving  
743 facilities; emergency communications centers; physicians and  
744 emergency medical personnel; paging facilities; law enforcement  
745 and fire protection agencies; and poison control, suicide, and



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746 emergency management agencies. In formulating such a system, the  
747 department shall divide the state into appropriate regions and  
748 shall develop a program which includes, but is not limited to,  
749 the following provisions:

750 (1) A requirements provision, which shall state the  
751 telecommunications requirements for each emergency medical  
752 entity comprising the region.

753 (2) An interfacility communications provision, which shall  
754 depict the telecommunications interfaces between the various  
755 medical service entities which operate within the region and  
756 state.

757 (3) An organizational layout provision, which shall  
758 include each emergency medical entity and the number of radio  
759 operating units (base, mobile, handheld, etc.) per entity.

760 (4) A frequency allocation and use provision, which shall  
761 include on an entity basis each assigned and planned radio  
762 channel and the type of operation (simplex, duplex, half duplex,  
763 etc.) on each channel.

764 (5) An operational provision, which shall include  
765 dispatching, logging, and operating procedures pertaining to  
766 telecommunications on an entity basis and regional basis.

767 (6) An emergency medical service telephone provision,  
768 which shall include the telephone and the numbering plan  
769 throughout the region for both the public and interface  
770 requirements.

771 Section 21. Section 401.018, Florida Statutes, is amended  
772 to read:

773 401.018 System coordination.--



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774 (1) The statewide system of regional emergency medical  
775 telecommunications shall be developed by the State Technology  
776 Office ~~Department of Management Services~~, which office  
777 ~~department~~ shall be responsible for the implementation and  
778 coordination of such system into the state telecommunications  
779 plan. The office ~~department~~ shall adopt any necessary rules and  
780 regulations for implementing and coordinating such a system.

781 (2) The State Technology Office ~~Department of Management~~  
782 ~~Services~~ shall be designated as the state frequency coordinator  
783 for the special emergency radio service.

784 Section 22. Section 401.021, Florida Statutes, is amended  
785 to read:

786 401.021 System director.--The State Chief Information  
787 Officer ~~Secretary of Management Services~~ or his or her designee  
788 is designated as the director of the statewide  
789 telecommunications system of the regional emergency medical  
790 service and, for the purpose of carrying out the provisions of  
791 this part, is authorized to coordinate the activities of the  
792 telecommunications system with other interested state, county,  
793 local, and private agencies.

794 Section 23. Section 401.024, Florida Statutes, is amended  
795 to read:

796 401.024 System approval.--From July 1, 1973, no emergency  
797 medical telecommunications system shall be established or  
798 present systems expanded without prior approval of the State  
799 Technology Office ~~Department of Management Services~~.

800 Section 24. Section 401.027, Florida Statutes, is amended  
801 to read:



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802           401.027 Federal assistance.--The State Chief Information  
803 Officer Secretary of Management Services or his or her designee  
804 is authorized to apply for and accept federal funding assistance  
805 in the development and implementation of a statewide emergency  
806 medical telecommunications system.

807           Section 25. Paragraph (b) of subsection (2) of section  
808 401.245, Florida Statutes, is amended to read:

809           401.245 Emergency Medical Services Advisory Council.--  
810           (2)

811           (b) Representation on the Emergency Medical Services  
812 Advisory Council shall include: two licensed physicians who are  
813 "medical directors" as defined in s. 401.23(15) or whose medical  
814 practice is closely related to emergency medical services; two  
815 emergency medical service administrators, one of whom is  
816 employed by a fire service; two certified paramedics, one of  
817 whom is employed by a fire service; two certified emergency  
818 medical technicians, one of whom is employed by a fire service;  
819 one emergency medical services educator; one emergency nurse;  
820 one hospital administrator; one representative of air ambulance  
821 services; one representative of a commercial ambulance operator;  
822 and two laypersons who are in no way connected with emergency  
823 medical services, one of whom is a representative of the  
824 elderly. Ex officio members of the advisory council from state  
825 agencies shall include, but shall not be limited to,  
826 representatives from the Department of Education, the State  
827 Technology Office ~~Department of Management Services~~, the  
828 Department of Insurance, the Department of Highway Safety and



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829 | Motor Vehicles, the Department of Transportation, and the  
830 | Department of Community Affairs.

831 |       Section 26. This act shall take effect July 1, 2003.