

By the Committee on Governmental Oversight and Productivity;
and Senator Crist

302-2512-03

1 A bill to be entitled
2 An act relating to the State Technology Office;
3 amending s. 20.22, F.S.; providing for the
4 State Technology Office to operate the Shared
5 Resource Center; amending s. 282.0041, F.S.;
6 defining the terms "enterprise," "enterprise
7 cost recovery," "enterprise program management
8 office," "enterprise technology services desk,"
9 "portal," "service level agreements," and
10 "State Chief Information Officer"; amending s.
11 282.005, F.S.; conforming references; amending
12 s. 282.102, F.S.; revising powers and duties of
13 the State Technology Office; revising title of
14 the head of that office; providing for open
15 architecture and minimum information technology
16 standards, enterprise business continuity and
17 disaster preparedness planning services,
18 policies and procedures for agency information
19 technology legislative budget requests, an
20 information technology advisory team, and
21 review of agency information technology
22 legislative budget requests; authorizing the
23 State Technology Office to participate in
24 planning agency information technology
25 projects; authorizing that office to provide
26 agency information technology project
27 assistance, oversight, or management; providing
28 for service level agreements, an enterprise
29 technology services desk, a centralized
30 enterprise portal, and enterprise information
31 technology systems and tools and services;

1 amending s. 282.106, F.S., relating to use of
2 SUNCOM Network by libraries; requiring a
3 library to pay certain costs at specified
4 rates; amending ss. 282.1095 and 282.111, F.S.;
5 conforming references; amending s. 282.20,
6 F.S.; renaming the Technology Resource Center
7 as the Shared Resource Center; providing for
8 oversight and management by that office;
9 amending s. 282.3055, F.S.; conforming
10 references; amending s. 282.315, F.S.;
11 providing that the Agency Chief Information
12 Officers Council shall be chaired by the State
13 Chief Information Officer; revising duties of
14 agency chief information officers; amending s.
15 282.322, F.S.; redesignating the Enterprise
16 Project Management Office of the State
17 Technology Office as the Enterprise Program
18 Management Office; revising duties of that
19 office; creating s. 282.323, F.S.; requiring
20 agencies to submit disaster preparedness plans
21 to the State Technology Office; requiring the
22 State Technology Office to create an enterprise
23 business continuity and disaster preparedness
24 plan; requiring designation of an Enterprise
25 Business Continuity Officer; specifying the
26 officer's responsibilities; amending s. 11.45,
27 F.S.; deleting a requirement that the Auditor
28 General conduct annual audits of the Wireless
29 Emergency Telephone System Fund; repealing s.
30 365.173(3), F.S.; deleting a requirement that
31 the Auditor General annually audit the Wireless

1 Emergency Telephone System Fund; amending ss.
2 110.205, 216.235, 216.292, and 395.1031, F.S.;
3 conforming references; amending ss. 401.013,
4 401.015, 401.018, 401.021, 401.024, 401.027,
5 and 401.245, F.S., relating to intention and
6 purpose of the Legislature, statewide regional
7 emergency medical telecommunication system,
8 system coordination, system director, system
9 approval, federal assistance, and the Emergency
10 Medical Services Advisory Council; deleting
11 reference to the Department of Management
12 Services; providing reference to the State
13 Technology Office; deleting reference to the
14 secretary of that department; providing
15 reference to the State Chief Information
16 Officer; providing an effective date.

17

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

19

20 Section 1. Subsection (3) of section 20.22, Florida
21 Statutes, is amended to read:

22 20.22 Department of Management Services.--There is
23 created a Department of Management Services.

24 (3) The State Technology Office shall operate and
25 manage the Shared Technology Resource Center.

26 Section 2. Subsections (5), (6), (7), (8), (9), (10),
27 (11), and (12) of section 282.0041, Florida Statutes, are
28 amended to read:

29 282.0041 Definitions.--For the purposes of this part,
30 the term:

31

1 (5) "Enterprise" means an organization in total,
2 including all subordinate entities, encompassing governmental
3 bodies as well as nonprofit organizations eligible for
4 services as defined in chapter 282.

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

8 (7) "Enterprise program management office" means the
9 office within the State Technology Office that is responsible
10 for management or oversight of major information technology
11 projects.

12 ~~(8)~~~~(5)~~ "Enterprise resources management
13 infrastructure" means the hardware, software, networks, data,
14 human resources, policies, standards, facilities, maintenance,
15 and related materials and services that are required to
16 support the business processes of an agency or state
17 enterprise.

18 ~~(9)~~~~(6)~~ "Enterprise resource planning and management"
19 means the planning, budgeting, acquiring, developing,
20 organizing, directing, training, control, and related services
21 associated with government information technology. The term
22 encompasses information and related resources, as well as the
23 controls associated with their acquisition, development,
24 dissemination, and use.

25 (10) "Enterprise technology services desk" means a
26 solution that provides information technology services support
27 to all entities within an enterprise, and that facilitates
28 enterprise data security monitoring and alerts, reporting,
29 network and performance monitoring, asset management, change
30 management, and technology systems capacity and configuration
31

1 management for the purpose of effectively sharing resources
2 and information across the enterprise.

3 (11)~~(7)~~ "Information technology" means equipment,
4 hardware, software, firmware, programs, systems, networks,
5 infrastructure, media, and related material used to
6 automatically, electronically, and wirelessly collect,
7 receive, access, transmit, display, store, record, retrieve,
8 analyze, evaluate, process, classify, manipulate, manage,
9 assimilate, control, communicate, exchange, convert, converge,
10 interface, switch, or disseminate information of any kind or
11 form.

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

14 (13)~~(8)~~ "Project" means an undertaking directed at the
15 accomplishment of a strategic objective relating to enterprise
16 resources management or a specific appropriated program.

17 (14) "Service level agreement" means a baseline of
18 expectations and the roles and responsibilities for
19 information technology services in accordance with s.
20 282.005(5). This agreement sets service provider and recipient
21 expectations, describes the products or services to be
22 delivered, identifies contacts for end-user problems, and
23 specifies the metrics by which the effectiveness of service
24 activities, functions, and processes will be measured,
25 examined, changed, and controlled.

26 (15)~~(9)~~ "State Annual Report on Enterprise Resource
27 Planning and Management" means the report prepared by the
28 State Technology Office as defined in s. 282.102.

29 (16) "State Chief Information Officer" means the
30 individual identified in s. 282.102 who is appointed by the
31 Governor, is in the Senior Management Service, is an agency

1 head for all purposes, and is responsible for carrying out the
2 powers, duties, and functions as defined in s. 282.102.

3 (17)~~(10)~~ "Standards" means the use of current, open,
4 nonproprietary, or non-vendor-specific technologies.

5 (18)~~(11)~~ "State Technology Office" or "office" means
6 the office created in s. 282.102.

7 (19)~~(12)~~ "Total cost" means all costs associated with
8 information technology projects or initiatives, including, but
9 not limited to, value of hardware, software, service,
10 maintenance, incremental personnel, and facilities. Total cost
11 of a loan or gift of information technology resources to an
12 agency includes the fair market value of the resources, except
13 that the total cost of loans or gifts of information
14 technology to state universities to be used in instruction or
15 research does not include fair market value.

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

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

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

23 Section 4. Section 282.102, Florida Statutes, is
24 amended to read:

25 282.102 Creation of the State Technology Office;
26 powers and duties.--There is created a State Technology Office
27 within the Department of Management Services. The office shall
28 be a separate budget entity, and shall be headed by a State
29 Chief Information Officer who is appointed by the Governor and
30 is in the Senior Management Service. The State Chief
31 Information Officer shall be an agency head for all purposes.

1 The Department of Management Services shall provide
2 administrative support and service to the office to the extent
3 requested by the State Chief Information Officer. The office
4 may adopt policies and procedures regarding personnel,
5 procurement, and transactions for State Technology Office
6 personnel. The office shall have the following powers, duties,
7 and functions:

8 (1) To publish electronically the portfolio of
9 services available from the office, including pricing
10 information; the policies and procedures of the office
11 governing usage of available services; ~~and~~ a forecast of the
12 priorities and initiatives for the state communications system
13 for the ensuing 2 years; and the State Annual Report on
14 Enterprise Resource Planning and Management required by s.
15 282.310.

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

20 (3) To establish open architecture standards for state
21 information technology infrastructure that promote efficient
22 use of resources and economic development, and facilitate the
23 conduct of e-business within government.

24 (4) To adopt minimum information technology security
25 standards and best practices to be used by agencies and to
26 conduct or coordinate information technology security audits
27 of agencies to the extent possible within appropriated
28 resources.

29 (5) To provide enterprise business continuity and
30 disaster preparedness planning services, which may include
31 conducting risk assessments of, participating in the

1 development of, or overseeing or managing, aspects of agency
2 disaster preparedness plans relating to information
3 technology; coordinating business continuity mock training
4 exercises; and providing information technology disaster
5 preparedness training.

6 (6) To develop policies and procedures for agency
7 information technology legislative budget requests and to
8 establish an information technology advisory team to review,
9 prioritize, and make recommendations regarding such requests
10 based on considerations that include existing technology,
11 compliance with open architecture standards,
12 cost-effectiveness and efficiency, and the need for office
13 assistance, oversight, or management. The team's
14 recommendations shall be provided to the Executive Office of
15 the Governor and the chairs of the legislative appropriations
16 committees.

17 (7) To develop and own or sponsor enterprise
18 information technology systems, tools, and services that meet
19 standards established by the office.

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

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

23 (10) To develop and operate an enterprise portal and
24 to provide tools and services for agency enterprise portal
25 utilization which ensure compliance with enterprise portal
26 standards established by the office.

27 (11)~~(3)~~ To perform, in consultation with an agency,
28 the enterprise resource planning and management for the
29 agency.

30 (12) To participate in the planning of, and to provide
31 project assistance, oversight, or management for agency

1 information technology projects, when determined appropriate
2 by the State Chief Information Officer and to the extent
3 possible within appropriated resources.

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

8 (13)~~(5)~~ To integrate agency ~~the~~ information technology
9 systems and services and ~~of state agencies.~~

10 ~~(6)~~ To adopt technical standards for the state
11 information technology system which ~~will~~ assure the
12 interconnection of agency computer networks and information
13 systems ~~of agencies.~~

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

18 (15)~~(8)~~ To enter into service level agreements related
19 to information technology with state agencies and political
20 subdivisions of the state.

21 (16)~~(9)~~ To use and acquire, with agency concurrence,
22 information technology now owned or operated by any agency.

23 (17)~~(10)~~ To purchase from or contract with information
24 technology providers for information technology, including
25 private line services.

26 (18)~~(11)~~ To apply for, receive, and hold, and to
27 assist agencies in applying for, receiving, or holding, such
28 authorizations, patents, copyrights, trademarks, service
29 marks, licenses, and allocations or channels and frequencies
30 to carry out the purposes of this part.

31

1 (19)~~(12)~~ To purchase, lease, or otherwise acquire and
2 to hold, sell, transfer, license, or otherwise dispose of
3 real, personal, and intellectual property, including, but not
4 limited to, patents, trademarks, copyrights, and service
5 marks.

6 (20)~~(13)~~ To cooperate with any federal, state, or
7 local emergency management agency in providing for emergency
8 communications services.

9 (21)~~(14)~~ To delegate, as necessary, to state agencies
10 the authority to purchase, lease, or otherwise acquire and to
11 use information technology or, as necessary, to control and
12 approve the purchase, lease, or acquisition and the use of all
13 information technology, including, but not limited to,
14 communications services provided as part of any other total
15 system to be used by the state or ~~any of~~ its agencies.

16 (22)~~(15)~~ To acquire ownership, possession, custody,
17 and control of existing communications equipment and
18 facilities, including all right, title, interest, and equity
19 therein, as necessary, to carry out the purposes of this part.
20 However, the provisions of this subsection shall in no way
21 affect the rights, title, interest, or equity in any such
22 equipment or facilities owned by, or leased to, the state or
23 any state agency by any telecommunications company.

24 ~~(16) To adopt rules pursuant to ss. 120.536(1) and~~
25 ~~120.54 relating to information technology and to administer~~
26 ~~the provisions of this part.~~

27 (23)~~(17)~~ To advise political subdivisions of the state
28 as to systems or methods to be used for organizing and meeting
29 information technology requirements efficiently and
30 effectively, and to provide a means whereby political
31 subdivisions of the state may use state information technology

1 systems upon such terms and under such conditions as the
2 office may establish.

3 (24)~~(18)~~ To apply for and accept federal funds for any
4 of the purposes of this part as well as gifts and donations
5 from individuals, foundations, and private organizations.

6 (25)~~(19)~~ To monitor issues relating to communications
7 facilities and services before the Florida Public Service
8 Commission and, when necessary, prepare position papers,
9 prepare testimony, appear as a witness, and retain witnesses
10 on behalf of state agencies in proceedings before the
11 commission.

12 (26)~~(20)~~ Unless delegated to the agencies by the State
13 Chief Information Officer, to manage and control, but not
14 intercept or interpret, communications within the SUNCOM
15 Network by:

16 (a) Establishing technical standards to physically
17 interface with the SUNCOM Network.

18 (b) Specifying how communications are transmitted
19 within the SUNCOM Network.

20 (c) Controlling the routing of communications within
21 the SUNCOM Network.

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

24 (e) Ensuring orderly and reliable communications
25 services in accordance with the service level agreements
26 executed with state agencies.

27 (27)~~(21)~~ To plan, design, and conduct experiments for
28 information technology services, equipment, and technologies,
29 and to implement enhancements in the state information
30 technology system when in the public interest and
31 cost-effective. Funding for such experiments shall be derived

1 from SUNCOM Network service revenues and shall not exceed 2
2 percent of the annual budget for the SUNCOM Network for any
3 fiscal year or as provided in the General Appropriations Act.
4 New services offered as a result of this subsection shall not
5 affect existing rates for facilities or services.

6 (28)~~(22)~~ To enter into contracts or agreements, with
7 or without competitive bidding or procurement, to make
8 available, on a fair, reasonable, and nondiscriminatory basis,
9 property and other structures under office control for the
10 placement of new facilities by any wireless provider of mobile
11 service as defined in 47 U.S.C. s. 153(n) or s. 332(d) and any
12 telecommunications company as defined in s. 364.02 when it is
13 determined to be practical and feasible to make such property
14 or other structures available. The office may, without
15 adopting a rule, charge a just, reasonable, and
16 nondiscriminatory fee for the placement of the facilities,
17 payable annually, based on the fair market value of space used
18 by comparable communications facilities in the state. The
19 office and a wireless provider or telecommunications company
20 may negotiate the reduction or elimination of a fee in
21 consideration of services provided to the office by the
22 wireless provider or telecommunications company. All such fees
23 collected by the office shall be deposited directly into the
24 Law Enforcement Radio Operating Trust Fund, and may be used by
25 the office to construct, maintain, or support the system.

26 (29)~~(23)~~ To provide an integrated electronic system
27 for deploying government products, services, and information
28 to individuals and businesses.

29 (a) The integrated electronic system shall reflect
30 cost-effective deployment strategies in keeping with industry
31

1 standards and practices, including protections and security of
2 private information as well as maintenance of public records.

3 (b) The office shall provide a method for assessing
4 fiscal accountability for the integrated electronic system and
5 shall establish the organizational structure required to
6 implement this system.

7 (30)~~(24)~~ To provide administrative support to the
8 Agency Chief Information Officers Council and other workgroups
9 created by the State Chief Information Officer.

10 (31)~~(25)~~ To facilitate state information technology
11 education and training for senior management and other agency
12 staff.

13 (32)~~(26)~~ To prepare, on behalf of the Executive Office
14 of the Governor, memoranda on recommended guidelines and best
15 practices for information resources management, when
16 requested.

17 ~~(27) To prepare, publish, and disseminate the State
18 Annual Report on Enterprise Resource Planning and Management
19 under s. 282.310.~~

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

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

25 (33)~~(30)~~ To designate a State Chief Privacy Officer
26 who shall be responsible for the continual review of policies,
27 laws, rules, and practices of state agencies which may affect
28 the privacy concerns of state residents.

29 (34) To adopt rules pursuant to ss. 120.536(1) and
30 120.54 relating to information technology and to administer
31 the provisions of this part.

1 Section 5. Section 282.106, Florida Statutes, is
2 amended to read:

3 282.106 Use of SUNCOM Network by libraries.--The State
4 Technology Office may provide SUNCOM Network services to any
5 library in the state, including libraries in public schools,
6 community colleges, state universities, and nonprofit private
7 postsecondary educational institutions, and libraries owned
8 and operated by municipalities and political subdivisions. A
9 library shall pay installation costs and recurring costs
10 according to the office's published rates for SUNCOM Network
11 services.

12 Section 6. Paragraph (a) of subsection (2) of section
13 282.1095, Florida Statutes, is amended to read:

14 282.1095 State agency law enforcement radio system.--

15 (2)(a) The Joint Task Force on State Agency Law
16 Enforcement Communications shall consist of eight members, as
17 follows:

18 1. A representative of the Division of Alcoholic
19 Beverages and Tobacco of the Department of Business and
20 Professional Regulation who shall be appointed by the
21 secretary of the department.

22 2. A representative of the Division of Florida Highway
23 Patrol of the Department of Highway Safety and Motor Vehicles
24 who shall be appointed by the executive director of the
25 department.

26 3. A representative of the Department of Law
27 Enforcement who shall be appointed by the executive director
28 of the department.

29 4. A representative of the Fish and Wildlife
30 Conservation Commission who shall be appointed by the
31 executive director of the commission.

1 5. A representative of the Division of Law Enforcement
2 of the Department of Environmental Protection who shall be
3 appointed by the secretary of the department.

4 6. A representative of the Department of Corrections
5 who shall be appointed by the secretary of the department.

6 7. A representative of the Division of State Fire
7 Marshal of the Department of Financial Services Insurance who
8 shall be appointed by the Chief Financial Officer ~~State Fire~~
9 ~~Marshal~~.

10 8. A representative of the Department of
11 Transportation who shall be appointed by the secretary of the
12 department.

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

15 282.111 Statewide system of regional law enforcement
16 communications.--

17 (4) The State Chief Information Officer ~~of the State~~
18 ~~Technology Office~~ or his or her designee is designated as the
19 director of the statewide system of regional law enforcement
20 communications and, for the purpose of carrying out the
21 provisions of this section, is authorized to coordinate the
22 activities of the system with other interested state agencies
23 and local law enforcement agencies.

24 Section 8. Section 282.20, Florida Statutes, is
25 amended to read:

26 282.20 Shared Technology Resource Center.--

27 (1)(a) The State Technology Office shall oversee
28 operation and management of ~~operate and manage~~ the Shared
29 ~~Technology~~ Resource Center.

30 (b) For the purposes of this section, the term:
31

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

4 2. "Customer" means a state agency or other entity
5 which is authorized to utilize the SUNCOM Network pursuant to
6 this part.

7 (2) The Shared ~~Technology~~ Resource Center shall:

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

10 (b) Cooperate with customers to offer, develop, and
11 support a wide range of services and applications needed by
12 users of the Shared ~~Technology~~ Resource Center.

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

17 (d) Cooperate with the office to facilitate
18 interdepartmental networking and integration of network
19 services for its customers.

20 (e) Assist customers in testing and evaluating new and
21 emerging technologies that could be used to meet the needs of
22 the state.

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

26 (4) The Shared ~~Technology~~ Resource Center may plan,
27 design, establish pilot projects for, and conduct experiments
28 with 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 Shared Technology
2 Resource Center for any single fiscal year. Any experiment,
3 pilot project, plan, or design must be approved by the State
4 Chief Information Officer.

5 (5) Notwithstanding the provisions of s. 216.272, the
6 Shared Technology Resource Center may spend funds in the
7 reserve account of the Technology Enterprise Operating Trust
8 Fund for enhancements to center operations or for information
9 technology resources. Any expenditure of reserve account funds
10 must be approved by the State Chief Information Officer. Any
11 funds remaining in the reserve account at the end of the
12 fiscal year may be carried forward and spent as approved by
13 the State Chief Information Officer, provided that such
14 approval conforms to any applicable provisions of chapter 216.

15 Section 9. Paragraph (a) of subsection (1) of section
16 282.3055, Florida Statutes, is amended to read:

17 282.3055 Agency Chief Information Office Officer;
18 appointment; duties.--

19 (1)(a) To assist the State Technology Officer in
20 carrying out the enterprise resource planning and management
21 responsibilities, the State Chief Information Officer may
22 appoint or contract for an Agency Chief Information Officer.
23 This position may be full time or part time.

24 Section 10. Paragraph (c) of subsection (1) of section
25 282.315, Florida Statutes, is amended to read:

26 282.315 Agency Chief Information Officers Council;
27 creation.--The Legislature finds that enhancing communication,
28 consensus building, coordination, and facilitation of
29 statewide enterprise resource planning and management issues
30 is essential to improving state management of such resources.

31

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

4 (c) Identify efficiency opportunities among state
5 agencies. Each agency chief information officer shall focus on
6 procuring IT resources that can be used across the enterprise.

7 Section 11. Section 282.322, Florida Statutes, is
8 amended to read:

9 282.322 Special monitoring process for designated
10 information resources management projects.--

11 (1) For each information resources management project
12 which is designated for special monitoring in the General
13 Appropriations Act, with a proviso requiring a contract with a
14 project monitor, the Technology Review Workgroup established
15 pursuant to s. 216.0446, in consultation with each affected
16 agency, shall be responsible for contracting with the project
17 monitor. Upon contract award, funds equal to the contract
18 amount shall be transferred to the Technology Review Workgroup
19 upon request and subsequent approval of a budget amendment
20 pursuant to s. 216.292. With the concurrence of the
21 Legislative Auditing Committee, the office of the Auditor
22 General shall be the project monitor for other projects
23 designated for special monitoring. However, nothing in this
24 section precludes the Auditor General from conducting such
25 monitoring on any project designated for special monitoring.
26 In addition to monitoring and reporting on significant
27 communications between a contracting agency and the
28 appropriate federal authorities, the project monitoring
29 process shall consist of evaluating each major stage of the
30 designated project to determine whether the deliverables have
31 been satisfied and to assess the level of risks associated

1 with proceeding to the next stage of the project. The major
2 stages of each designated project shall be determined based on
3 the agency's information systems development methodology.
4 Within 20 days after an agency has completed a major stage of
5 its designated project or at least 90 days, the project
6 monitor shall issue a written report, including the findings
7 and recommendations for correcting deficiencies, to the agency
8 head, for review and comment. Within 20 days after receipt of
9 the project monitor's report, the agency head shall submit a
10 written statement of explanation or rebuttal concerning the
11 findings and recommendations of the project monitor, including
12 any corrective action to be taken by the agency. The project
13 monitor shall include the agency's statement in its final
14 report, which shall be forwarded, within 7 days after receipt
15 of the agency's statement, to the agency head, the inspector
16 general's office of the agency, the Executive Office of the
17 Governor, the appropriations committees of the Legislature,
18 the Joint Legislative Auditing Committee, the Technology
19 Review Workgroup, the President of the Senate, the Speaker of
20 the House of Representatives, and the Office of Program Policy
21 Analysis and Government Accountability. The Auditor General
22 shall also receive a copy of the project monitor's report for
23 those projects in which the Auditor General is not the project
24 monitor.

25 (2) The Enterprise Program ~~Project~~ Management Office
26 of the State Technology Office shall report any information
27 technology projects the office identifies as high-risk to the
28 Executive Office of the Governor, the President of the Senate,
29 the Speaker of the House of Representatives, and the chairs of
30 the appropriations committees. Within the limits of current
31 appropriations, the Enterprise Program ~~Project~~ Management

1 Office shall monitor and report on such high-risk information
2 technology projects, and assess the levels of risks associated
3 with proceeding to the next stage of the project.

4 (3) The Enterprise Program Management Office shall
5 plan, design, develop, and implement key enterprise projects
6 as determined by the State Chief Information Officer and shall
7 be involved in the planning stages of agency information
8 technology projects to ensure a comprehensive approach to
9 technology solutions. The Enterprise Program Management Office
10 shall develop enterprise integration guidelines and promulgate
11 project management standards.

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

14 282.323 Enterprise business continuity and disaster
15 preparedness plan.--

16 (1) Each agency, as defined in s. 282.0041(1), shall
17 submit a copy of the disaster preparedness plan required by s.
18 252.365(3) to the State Technology Office no later than July
19 15, 2003. The State Technology Office shall, no later than
20 September 30, 2003, review and consolidate these plans into a
21 single enterprise business continuity and disaster
22 preparedness plan.

23 (2) The State Chief Information Officer shall
24 designate an Enterprise Business Continuity Officer to
25 administer the enterprise business continuity and disaster
26 preparedness plan required by this section and to annually
27 administer a minimum of two business continuity disaster
28 preparedness mock training exercises in the state, at least
29 one of which must be an unscheduled, random exercise.

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

1 11.45 Definitions; duties; authorities; reports;
2 rules.--

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

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

6 (e)(f) At least every 2 years, conduct operational
7 audits of the accounts and records of state agencies and
8 universities. In connection with these audits, the Auditor
9 General shall give appropriate consideration to reports issued
10 by state agencies' inspectors general or universities'

11 inspectors general and the resolution of findings therein.

12 (f)(g) At least every 2 years, conduct a performance
13 audit of the local government financial reporting system,
14 which, for the purpose of this chapter, means any statutory
15 provisions related to local government financial reporting.
16 The purpose of such an audit is to determine the accuracy,
17 efficiency, and effectiveness of the reporting system in
18 achieving its goals and to make recommendations to the local
19 governments, the Governor, and the Legislature as to how the
20 reporting system can be improved and how program costs can be
21 reduced. The local government financial reporting system
22 should provide for the timely, accurate, uniform, and
23 cost-effective accumulation of financial and other information
24 that can be used by the members of the Legislature and other
25 appropriate officials to accomplish the following goals:

- 26 1. Enhance citizen participation in local government;
27 2. Improve the financial condition of local
28 governments;
29 3. Provide essential government services in an
30 efficient and effective manner; and
31

1 4. Improve decisionmaking on the part of the
2 Legislature, state agencies, and local government officials on
3 matters relating to local government.

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

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

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

16 (j)~~(k)~~ Conduct audits of local governmental entities
17 when determined to be necessary by the Auditor General, when
18 directed by the Legislative Auditing Committee, or when
19 otherwise required by law. No later than 18 months after the
20 release of the audit report, the Auditor General shall perform
21 such appropriate followup procedures as he or she deems
22 necessary to determine the audited entity's progress in
23 addressing the findings and recommendations contained within
24 the Auditor General's previous report. The Auditor General
25 shall provide a copy of his or her determination to each
26 member of the audited entity's governing body and to the
27 Legislative Auditing Committee.

28
29 The Auditor General shall perform his or her duties
30 independently but under the general policies established by
31 the Legislative Auditing Committee. This subsection does not

1 limit the Auditor General's discretionary authority to conduct
2 other audits or engagements of governmental entities as
3 authorized in subsection (3).

4 Section 14. Subsection (3) of section 365.173, Florida
5 Statutes, is repealed.

6 Section 15. Paragraph (e) of subsection (2) of section
7 110.205, Florida Statutes, is amended to read:

8 110.205 Career service; exemptions.--

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

11 (e) The State Chief Information Officer, deputy chief
12 information officers, chief technology officers, and deputy
13 chief technology officers in the State Technology Office.

14 Unless otherwise fixed by law, the State Technology Office
15 shall set the salary and benefits of these positions in
16 accordance with the rules of the Senior Management Service.

17 Section 16. Paragraph (c) of subsection (4) of section
18 216.235, Florida Statutes, is amended to read:

19 216.235 Innovation Investment Program.--

20 (4) There is hereby created the State Innovation
21 Committee, which shall have final approval authority as to
22 which innovative investment projects submitted under this
23 section shall be funded. Such committee shall be comprised of
24 seven members. Appointed members shall serve terms of 1 year
25 and may be reappointed. The committee shall include:

26 (c) The State Chief Information Officer in the State
27 Technology Office.

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

30 216.292 Appropriations nontransferable; exceptions.--

31

1 (9) Moneys appropriated in the General Appropriations
2 Act for the purpose of paying for services provided by the
3 State Technology Office ~~state communications system in the~~
4 ~~Department of Management Services~~ shall be paid by the user
5 agencies, or the judicial branch, within 45 days after the
6 billing date. Billed amounts not paid by the user agencies, or
7 by the judicial branch, shall be transferred by the Department
8 of Financial Services ~~Comptroller~~ from the user agencies to
9 the Communications Working Capital Trust Fund.

10 Section 18. Section 395.1031, Florida Statutes, is
11 amended to read:

12 395.1031 Emergency medical services;
13 communication.--Each licensed hospital with an emergency
14 department must be capable of communicating by two-way radio
15 with all ground-based basic life support service vehicles and
16 advanced life support service vehicles that operate within the
17 hospital's service area under a state permit and with all
18 rotorcraft air ambulances that operate under a state permit.
19 The hospital's radio system must be capable of interfacing
20 with municipal mutual aid channels designated by the State
21 Technology Office ~~Department of Management Services~~ and the
22 Federal Communications Commission.

23 Section 19. Section 401.013, Florida Statutes, is
24 amended to read:

25 401.013 Legislative intent.--It is the intention and
26 purpose of the Legislature that a statewide system of regional
27 emergency medical telecommunications be developed whereby
28 maximum use of existing radio channels is achieved in order to
29 more effectively and rapidly provide emergency medical service
30 to the general population. To this end, all emergency medical
31 service entities within the state are directed to provide the

1 State Technology Office ~~Department of Management Services~~ with
2 any information that office ~~the department~~ requests for the
3 purpose of implementing the provisions of s. 401.015, and such
4 entities shall comply with the resultant provisions
5 established pursuant to this part.

6 Section 20. Section 401.015, Florida Statutes, is
7 amended to read:

8 401.015 Statewide regional emergency medical
9 telecommunication system.--The State Technology Office
10 ~~Department of Management Services~~ is authorized and directed
11 to develop a statewide system of regional emergency medical
12 telecommunications. For the purpose of this part, the term
13 "telecommunications" means those voice, data, and signaling
14 transmissions and receptions between emergency medical service
15 components, including, but not limited to: ambulances; rescue
16 vehicles; hospitals or other related emergency receiving
17 facilities; emergency communications centers; physicians and
18 emergency medical personnel; paging facilities; law
19 enforcement and fire protection agencies; and poison control,
20 suicide, and emergency management agencies. In formulating
21 such a system, the department shall divide the state into
22 appropriate regions and shall develop a program which
23 includes, but is not limited to, the following provisions:

24 (1) A requirements provision, which shall state the
25 telecommunications requirements for each emergency medical
26 entity comprising the region.

27 (2) An interfacility communications provision, which
28 shall depict the telecommunications interfaces between the
29 various medical service entities which operate within the
30 region and state.

31

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

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

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

11 (6) An emergency medical service telephone provision,
12 which shall include the telephone and the numbering plan
13 throughout the region for both the public and interface
14 requirements.

15 Section 21. Section 401.018, Florida Statutes, is
16 amended to read:

17 401.018 System coordination.--

18 (1) The statewide system of regional emergency medical
19 telecommunications shall be developed by the State Technology
20 Office ~~Department of Management Services~~, which office
21 ~~department~~ shall be responsible for the implementation and
22 coordination of such system into the state telecommunications
23 plan. The office ~~department~~ shall adopt any necessary rules
24 and regulations for implementing and coordinating such a
25 system.

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

29 Section 22. Section 401.021, Florida Statutes, is
30 amended to read:

31

1 401.021 System director.--The State Chief Information
2 Officer ~~Secretary of Management Services~~ or his or her
3 designee is designated as the director of the statewide
4 telecommunications system of the regional emergency medical
5 service and, for the purpose of carrying out the provisions of
6 this part, is authorized to coordinate the activities of the
7 telecommunications system with other interested state, county,
8 local, and private agencies.

9 Section 23. Section 401.024, Florida Statutes, is
10 amended to read:

11 401.024 System approval.--From July 1, 1973, no
12 emergency medical telecommunications system shall be
13 established or present systems expanded without prior approval
14 of the State Technology Office ~~Department of Management~~
15 ~~Services~~.

16 Section 24. Section 401.027, Florida Statutes, is
17 amended to read:

18 401.027 Federal assistance.--The State Chief
19 Information Officer ~~Secretary of Management Services~~ or his or
20 her designee is authorized to apply for and accept federal
21 funding assistance in the development and implementation of a
22 statewide emergency medical telecommunications system.

23 Section 25. Paragraph (b) of subsection (2) of section
24 401.245, Florida Statutes, is amended to read:

25 401.245 Emergency Medical Services Advisory Council.--

26 (2)

27 (b) Representation on the Emergency Medical Services
28 Advisory Council shall include: two licensed physicians who
29 are "medical directors" as defined in s. 401.23(15) or whose
30 medical practice is closely related to emergency medical
31 services; two emergency medical service administrators, one of

1 whom is employed by a fire service; two certified paramedics,
2 one of whom is employed by a fire service; two certified
3 emergency medical technicians, one of whom is employed by a
4 fire service; one emergency medical services educator; one
5 emergency nurse; one hospital administrator; one
6 representative of air ambulance services; one representative
7 of a commercial ambulance operator; and two laypersons who are
8 in no way connected with emergency medical services, one of
9 whom is a representative of the elderly. Ex officio members of
10 the advisory council from state agencies shall include, but
11 shall not be limited to, representatives from the Department
12 of Education, the State Technology Office ~~Department of~~
13 ~~Management Services~~, the Department of Insurance, the
14 Department of Highway Safety and Motor Vehicles, the
15 Department of Transportation, and the Department of Community
16 Affairs.

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

18

19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 SB 2614

22

23 Amends s. 20.22, F.S., to make a conforming change for the
24 bill's renaming of the Technology Resource Center. Amends s.
25 282.102, F.S., to: (a) require establishment of open
26 architecture and minimum security standards for state
27 information technology; (b) require provision of enterprise
28 business continuity and disaster preparedness planning
29 services; (c) establish an information technology advisory
30 team to review agency information technology legislative
31 budget requests; and (d) provide clear authority for the STO
to participate in the planning of, and to provide assistance,
oversight or management for, agency information technology
projects. Creates s. 282.323, F.S., to provide for an
enterprise business continuity and disaster preparedness plan
and to provide for the designation of an Enterprise Business
Continuity Officer. Repeals s. 365.173, F.S., to make a
conforming change for the bill's repeal of a requirement for
the Auditor General to annually audit the Wireless Emergency
Telephone System Fund.