

1 A bill to be entitled
2 An act relating to information technology management;
3 reorganizing the State Technology Office and its powers,
4 duties, and functions within the Department of Management
5 Services; amending s. 20.22, F.S.; establishing the
6 Technology Program in the Department of Management
7 Services; removing duty of the State Technology Office to
8 operate and manage the Technology Resource Center;
9 amending s. 186.022, F.S.; conforming reference to a
10 report; amending s. 216.0446, F.S.; revising duties of the
11 legislative Technology Review Workgroup to remove
12 participation of the State Technology Office; conforming
13 reference to a report; repealing s. 216.292(1)(c), F.S.,
14 relating to provisions authorizing transfer of positions
15 and appropriations in fiscal year 2001-2002 for the
16 purpose of consolidating information technology resources;
17 amending s. 282.0041, F.S.; revising definitions for
18 purposes of information resources management; renaming the
19 Agency Annual Enterprise Resource Planning and Management
20 Report as the Agency Annual Information Technology
21 Investment Portfolio Report; providing for appointment of
22 an agency chief information officer by the agency head;
23 defining the term "department"; renaming the State Annual
24 Report on Enterprise Resource Planning and Management as
25 the State Annual Information Technology Investment
26 Portfolio Report; amending s. 282.005, F.S.; revising
27 legislative findings and intent with respect to the
28 Information Resources Management Act of 1997; revising

29 state agency responsibilities with respect to information
30 technology infrastructure; providing agencies with primary
31 responsibility for information technology management;
32 deleting assignment of certain information technology
33 functions to the State Technology Office; deleting a
34 provision providing the State Technology Office take no
35 action affecting any Cabinet officer; amending s. 282.102,
36 F.S.; removing provisions for the creation, powers, and
37 duties of the State Technology Office; removing provisions
38 for a Chief Information Officer and a State Chief Privacy
39 Officer; removing provisions relating to information
40 technology and enterprise resource management; providing
41 powers, duties, and functions of the Department of
42 Management Services for operating the statewide
43 communications system; transferring powers and duties
44 relating to communications systems from the State
45 Technology Office to the Department of Management
46 Services; authorizing the department to adopt rules;
47 authorizing the department to set a fee for placement of
48 certain telecommunications facilities on state property;
49 amending ss. 282.103, 282.104, 282.105, 282.106, 282.107,
50 282.1095, and 282.111, F.S., relating to the SUNCOM
51 Network, the state agency law enforcement radio system and
52 interoperability network, and the statewide system of
53 regional law enforcement communications to conform
54 references to changes made by the act; amending s. 282.20,
55 F.S.; providing for operation and management of the
56 Technology Resource Center by the Department of Management

57 Services; amending s. 282.21, F.S.; authorizing the
58 department to collect fees for providing remote electronic
59 access; removing provisions for collection of such fees by
60 the State Technology Office; amending s. 282.22, F.S.;
61 providing for dissemination of materials, products,
62 information, and services acquired or developed by or
63 under the direction of the department; removing reference
64 to the State Technology Office with respect to such
65 materials, products, information, and services; repealing
66 s. 282.23, F.S., relating to establishment of a State
67 Strategic Information Technology Alliance for the
68 acquisition and use of information technology and related
69 material; creating s. 282.3025, F.S.; providing for
70 creation, powers, and duties of the State Technology
71 Office within the Department of Management Services;
72 providing for a State Chief Information Officer appointed
73 by the secretary of the department; providing for
74 development of enterprise information technology mission,
75 goals, and objectives and plans for achieving the mission,
76 goals, and objectives; providing for development of
77 enterprise information technology policies, standards,
78 guidelines, and procedures; providing for project
79 management services; providing for review and
80 recommendations to the Governor and the Legislature
81 regarding agency information technology projects and
82 plans; providing for preparation of state reports and
83 memoranda; amending s. 282.3031, F.S.; deleting assignment
84 of certain information technology functions to the State

85 Technology Office; conforming terminology; amending s.
86 282.3032, F.S.; revising certain principles relating to
87 management of the state's information technology
88 resources; conforming terminology; amending s. 282.3055,
89 F.S.; providing for appointment of the agency chief
90 information officer by the agency head; providing for
91 staffing and supporting of an agency information
92 technology investment board; conforming terminology;
93 amending s. 282.3063, F.S.; renaming the Agency Annual
94 Enterprise Resource Planning and Management Report as the
95 Agency Annual Information Technology Investment Portfolio
96 Report; revising content requirements for the report;
97 amending s. 282.310, F.S.; renaming the State Annual
98 Report on Enterprise Resource Planning and Management as
99 the State Annual Information Technology Investment
100 Portfolio Report; revising content requirements for the
101 report; amending s. 282.315, F.S.; revising duties of the
102 Agency Chief Information Officers Council; providing for
103 the council to assist the State Technology Office for
104 certain purposes, identify opportunities to meet specified
105 information technology guidelines, and make certain
106 recommendations to the State Technology Office; providing
107 for the appointment and terms of officers; amending s.
108 282.318, F.S.; changing the popular name; removing
109 responsibility of the State Technology Office; providing
110 that each agency head is responsible and accountable for
111 ensuring an adequate level of security for data and
112 information; providing for certain security requirements

113 to be determined by the department; conforming
 114 terminology; amending ss. 365.171 and 365.172, F.S.,
 115 relating to statewide emergency telephone number systems;
 116 designating duties of the State Technology Office as
 117 duties of the Department of Management Services;
 118 conforming requirements with respect thereto; providing an
 119 effective date.

120

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

122

123 Section 1. Section 20.22, Florida Statutes, is amended to
 124 read:

125 20.22 Department of Management Services.--There is created
 126 a Department of Management Services.

127 (1) The head of the Department of Management Services is
 128 the Secretary of Management Services, who shall be appointed by
 129 the Governor, subject to confirmation by the Senate, and shall
 130 serve at the pleasure of the Governor.

131 (2) The following divisions and programs within the
 132 Department of Management Services are established:

- 133 (a) Facilities Program.
- 134 (b) ~~State Technology Program Office.~~
- 135 (c) Workforce Program.
- 136 (d)1. Support Program.
- 137 2. Federal Property Assistance Program.
- 138 (e) Administration Program.
- 139 (f) Division of Administrative Hearings.
- 140 (g) Division of Retirement.

141 (h) Division of State Group Insurance.

142 (i) State Technology Office.

143 ~~(3) The State Technology Office shall operate and manage~~
 144 ~~the Technology Resource Center.~~

145 (3)~~(4)~~ The duties of the Chief Labor Negotiator shall be
 146 determined by the Secretary of Management Services, and must
 147 include, but need not be limited to, the representation of the
 148 Governor as the public employer in collective bargaining
 149 negotiations pursuant to the provisions of chapter 447.

150 Section 2. Section 186.022, Florida Statutes, is amended
 151 to read:

152 186.022 Information technology strategic plans.--By June 1
 153 of each year, the Financial Management Information Board, the
 154 Criminal and Juvenile Justice Information Systems Council, and
 155 the Health Information Systems Council shall each develop and
 156 submit to the State Technology Office an information technology
 157 strategic plan in a form and manner prescribed in written
 158 instructions from the State Technology Office in consultation
 159 with the Executive Office of the Governor and the legislative
 160 appropriations committees. The State Technology Office shall
 161 review each such strategic plan and shall determine whether each
 162 such plan is consistent with the State Annual Information
 163 Technology Investment Portfolio Report ~~on Enterprise Resource~~
 164 ~~Planning and Management~~ and statewide policies adopted by the
 165 State Technology Office, and by July 1 of each year shall
 166 develop and transmit to each such board and council a written
 167 expression of its findings, conclusions, and required changes,
 168 if any, with respect to each such strategic plan. If any change

169 to any such strategic plan is required, each affected board and
 170 council shall revise its strategic plan to the extent necessary
 171 to incorporate such required changes and shall resubmit its
 172 strategic plan to the State Technology Office for final approval
 173 and acceptance.

174 Section 3. Section 216.0446, Florida Statutes, is amended
 175 to read:

176 216.0446 Review of information resources management
 177 needs.--

178 (1) There is created within the Legislature the Technology
 179 Review Workgroup. The workgroup ~~and the State Technology Office~~
 180 shall ~~independently~~ review and make recommendations with respect
 181 to the portion of agencies' long-range program plans which
 182 pertains to information technology ~~resources management~~ needs
 183 and with respect to agencies' legislative budget requests for
 184 information technology and related resources. The Technology
 185 Review Workgroup shall report such recommendations, together
 186 with the findings and conclusions on which such recommendations
 187 are based, to the Legislative Budget Commission. ~~The State~~
 188 ~~Technology Office shall report such recommendations, together~~
 189 ~~with the findings and conclusions on which such recommendations~~
 190 ~~are based, to the Executive Office of the Governor and to the~~
 191 ~~chairs of the legislative appropriations committees.~~

192 (2) In addition to its primary duty specified in
 193 subsection (1), the Technology Review Workgroup shall have
 194 powers and duties that include, but are not limited to, the
 195 following:

196 (a) To evaluate the information resource management needs
 197 identified in the agency long-range program plans for
 198 consistency with the State Annual Information Technology
 199 Investment Portfolio Report ~~on Enterprise Resource Planning and~~
 200 ~~Management~~ and statewide policies recommended by the State
 201 Technology Office, and make recommendations to the Legislative
 202 Budget Commission.

203 (b) To review and make recommendations to the Legislative
 204 Budget Commission on proposed budget amendments and agency
 205 transfers associated with information technology initiatives or
 206 projects that involve more than one agency, that have an outcome
 207 that impacts another agency, that exceed \$500,000 in total cost
 208 over a 1-year period, or that are requested by the Legislative
 209 Budget Commission to be reviewed.

210 Section 4. Paragraph (c) of subsection (1) of section
 211 216.292, Florida Statutes, is repealed.

212 Section 5. Section 282.0041, Florida Statutes, is amended
 213 to read:

214 282.0041 Definitions.--For the purposes of this part, the
 215 term:

216 (1) "Agency" means those entities described in s.
 217 216.011(1)(qq).

218 (2) "Agency Annual Information Technology Investment
 219 Portfolio ~~Enterprise Resource Planning and Management Report~~"
 220 means the report prepared by each agency chief information
 221 officer as required by s. 282.3063.

222 (3) "Agency chief information officer" means the person
 223 appointed by the agency head ~~State Technology Office~~ to

224 coordinate and manage the information technology policies and
 225 activities applicable to that agency.

226 (4) "Agency Chief Information Officers Council" means the
 227 council created in s. 282.315 to facilitate the sharing and
 228 coordination of information technology issues and initiatives
 229 among the agencies.

230 (5) "Department" means the Department of Management
 231 Services.

232 (6)~~(7)~~ "Information technology" means equipment, hardware,
 233 software, firmware, programs, systems, networks, infrastructure,
 234 media, and related material used to automatically,
 235 electronically, and wirelessly collect, receive, access,
 236 transmit, display, store, record, retrieve, analyze, evaluate,
 237 process, classify, manipulate, manage, assimilate, control,
 238 communicate, exchange, convert, converge, interface, switch, or
 239 disseminate information of any kind or form.

240 (7)~~(5)~~ "Information technology Enterprise resources
 241 ~~management~~ infrastructure" means the hardware, software,
 242 networks, data, human resources, policies, standards,
 243 facilities, maintenance, and related materials and services that
 244 are required to support the business processes of an agency or
 245 state enterprise.

246 (8)~~(6)~~ "Information technology Enterprise resource
 247 planning and management" means the planning, budgeting,
 248 acquiring, developing, organizing, directing, training, control,
 249 and related services associated with government information
 250 technology. The term encompasses information and related

251 resources, as well as the controls associated with their
 252 acquisition, development, dissemination, and use.

253 (9)~~(8)~~ "Project" means an undertaking directed at the
 254 implementation accomplishment of information technology to
 255 achieve a strategic objective ~~relating to enterprise resources~~
 256 ~~management~~ or a specific appropriated program.

257 (10)~~(9)~~ "State Annual Information Technology Investment
 258 Portfolio Report ~~on Enterprise Resource Planning and Management~~"
 259 means the report defined in s. 282.310 and prepared by the State
 260 Technology Office ~~as defined in s. 282.102.~~

261 (11)~~(10)~~ "Standards" means the model definitions for
 262 information technology which promote the use of current, open,
 263 nonproprietary, or non-vendor-specific technologies.

264 (12)~~(11)~~ "State Technology Office" or "office" means the
 265 office created in s. 282.3025 ~~282.102.~~

266 (13)~~(12)~~ "Total cost" means all costs associated with
 267 information technology projects or initiatives, including, but
 268 not limited to, value of hardware, software, service,
 269 maintenance, incremental personnel, and facilities. Total cost
 270 of a loan or gift of information technology resources to an
 271 agency includes the fair market value of the resources, except
 272 that the total cost of loans or gifts of information technology
 273 to state universities to be used in instruction or research does
 274 not include fair market value.

275 Section 6. Section 282.005, Florida Statutes, is amended
 276 to read:

277 282.005 Legislative findings and intent.--The Legislature
 278 finds that:

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

281 (2) The state makes significant investments in information
282 technology in order to manage information and to provide
283 services to its citizens.

284 ~~(3) An office must be created to provide support and~~
285 ~~guidance to enhance the state's use and management of~~
286 ~~information technology and to design, procure, and deploy, on~~
287 ~~behalf of the state, information technology.~~

288 ~~(4) The cost-effective deployment of information~~
289 ~~technology by state agencies can best be managed by a Chief~~
290 ~~Information Officer.~~

291 (3)(5) The agency head State Technology Office has primary
292 responsibility and accountability for the planning, budgeting,
293 acquisition, development, implementation, use, and management of
294 information technology within the agency and for its use in
295 accomplishing the agency's mission. Each agency shall also use
296 its information technology in the best interest of the state and
297 make use of shared data and related resources state. The State
298 ~~Technology Office shall use the state's information technology~~
299 ~~in the best interest of the state as a whole and shall~~
300 ~~contribute to and make use of shared data and related resources~~
301 ~~whenever appropriate. Each agency head has primary~~
302 ~~responsibility and accountability for setting agency priorities,~~
303 ~~identifying business needs, and determining agency services and~~
304 ~~programs to be developed as provided by law. The State~~
305 ~~Technology Office, through service level agreements with each~~

306 ~~agency, shall provide the information technology needed for the~~
 307 ~~agency to accomplish its mission.~~

308 (4)(6) The expanding need for, use of, and dependence on
 309 information technology requires focused management attention and
 310 managerial accountability by state agencies and the State
 311 Technology Office on behalf of the state as a whole.

312 (5)(7) The state and state entities ~~, through the State~~
 313 ~~Technology Office,~~ shall provide, by whatever means is most
 314 cost-effective and efficient, the information technology,
 315 ~~enterprise resource planning and management,~~ and information
 316 technology enterprise resource management infrastructure needed
 317 to conduct the state's business ~~collect, store, and process the~~
 318 ~~state's data and information, provide connectivity, and~~
 319 ~~facilitate the exchange of data and information among both~~
 320 ~~public and private parties.~~

321 (6)(8) A necessary part of the state's information
 322 technology infrastructure is a statewide communications system
 323 for all types of signals, including, but not limited to, voice,
 324 data, video, radio, telephone, wireless, and image.

325 (7)(9) To ensure the best management of the state's
 326 information technology and notwithstanding other provisions of
 327 law to the contrary, the functions of information technology are
 328 assigned to the university boards of trustees for the
 329 development and implementation of planning, management,
 330 rulemaking, standards, and guidelines for the state
 331 universities; to the community college boards of trustees for
 332 establishing and developing rules for the community colleges; to
 333 the Supreme Court, for the judicial branch; and to each state

334 attorney and public defender; ~~and to the State Technology Office~~
 335 ~~for the executive branch of state government.~~

336 ~~(10) The State Technology Office shall take no action~~
 337 ~~affecting the supervision, control, management, or coordination~~
 338 ~~of information technology and information technology personnel~~
 339 ~~that any cabinet officer listed in s. 4, Art. IV of the State~~
 340 ~~Constitution deems necessary for the exercise of his or her~~
 341 ~~statutory or constitutional duties.~~

342 Section 7. Section 282.102, Florida Statutes, is amended
 343 to read:

344 282.102 ~~Creation of the State Technology Office; Powers~~
 345 ~~and duties~~ of the Department of Management Services relating to
 346 state communications system. ~~--There is created a State~~
 347 ~~Technology Office within The Department of Management Services.~~
 348 ~~The office shall be a separate budget entity, and shall be~~
 349 ~~headed by a Chief Information Officer who is appointed by the~~
 350 ~~Governor and is in the Senior Management Service. The Chief~~
 351 ~~Information Officer shall be an agency head for all purposes.~~
 352 ~~The Department of Management Services shall provide~~
 353 ~~administrative support and service to the office to the extent~~
 354 ~~requested by the Chief Information Officer. The office may adopt~~
 355 ~~policies and procedures regarding personnel, procurement, and~~
 356 ~~transactions for State Technology Office personnel. The office~~
 357 ~~shall have the following powers, duties, and functions~~ in
 358 operating the statewide communications system:

359 (1) To publish electronically the portfolio of services
 360 available from the department ~~office~~, including pricing
 361 information; the policies and procedures of the department

362 ~~office~~ governing usage of available services; and a forecast of
 363 the priorities and initiatives for the state communications
 364 system for the ensuing 2 years.

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

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

371 (2)(4) To advise and render aid to state agencies and
 372 political subdivisions of the state as to systems or methods to
 373 be used for organizing and meeting communications information
 374 ~~technology~~ requirements efficiently and effectively.

375 ~~(5) To integrate the information technology systems and~~
 376 ~~services of state agencies.~~

377 (3)(6) To adopt technical standards for the state
 378 communications information technology system which will assure
 379 the interconnection of computer networks and information systems
 380 of agencies.

381 (4)(7) To assume management responsibility for any
 382 consolidated communications system ~~integrated information~~
 383 ~~technology system~~ or service when determined by the department
 384 ~~office~~ to be economically efficient or performance-effective.

385 (5)(8) To enter into agreements for the support and use of
 386 communications systems ~~related to information technology~~ with
 387 state agencies and political subdivisions of the state.

388 (6)~~(9)~~ To use and acquire, with agency concurrence,
 389 communications facilities ~~information technology~~ now owned or
 390 operated by any agency.

391 (7)~~(10)~~ To purchase from or contract with suppliers and
 392 communications companies ~~information technology providers~~ for
 393 communications facilities and services ~~information technology~~,
 394 including private line services.

395 (8)~~(11)~~ To apply for, receive, and hold, and to assist
 396 agencies in applying for, receiving, or holding, such
 397 authorizations, ~~patents, copyrights, trademarks, service marks,~~
 398 licenses, and allocations or channels and frequencies to carry
 399 out the purposes of this part.

400 (9)~~(12)~~ To purchase, lease, or otherwise acquire and to
 401 hold, sell, transfer, license, or otherwise dispose of real,
 402 personal, and intellectual property, ~~including, but not limited~~
 403 ~~to, patents, trademarks, copyrights, and service marks.~~

404 (10)~~(13)~~ To cooperate with any federal, state, or local
 405 emergency management agency in providing for emergency
 406 communications services.

407 (11)~~(14)~~ To delegate, as necessary, to state agencies the
 408 authority to purchase, lease, or otherwise acquire and to use
 409 communications equipment, facilities, and services ~~information~~
 410 ~~technology~~ or, as necessary, to control and approve the
 411 purchase, lease, or acquisition and the use of all
 412 communications equipment, services, and facilities ~~information~~
 413 ~~technology~~, including, but not limited to, communications
 414 services provided as part of any other total system to be used
 415 by the state or any of its agencies.

416 ~~(12)~~~~(15)~~ To acquire ownership, possession, custody, and
 417 control of existing communications equipment and facilities,
 418 including all right, title, interest, and equity therein, as
 419 necessary, to carry out the purposes of this part. However, the
 420 provisions of this subsection shall in no way affect the rights,
 421 title, interest, or equity in any such equipment or facilities
 422 owned by, or leased to, the state or any state agency by any
 423 telecommunications company.

424 ~~(13)~~~~(16)~~ To adopt rules pursuant to ss. 120.536(1) and
 425 120.54 relating to the use of communications systems information
 426 ~~technology~~ and to administer the provisions of this part.

427 ~~(14)~~~~(17)~~ To provide a means whereby political subdivisions
 428 of the state may use state communications information technology
 429 systems upon such terms and under such conditions as the
 430 department office may establish.

431 ~~(15)~~~~(18)~~ To apply for and accept federal funds for any of
 432 the purposes of this part as well as gifts and donations from
 433 individuals, foundations, and private organizations.

434 ~~(16)~~~~(19)~~ To monitor issues relating to communications
 435 facilities and services before the Florida Public Service
 436 Commission and, when necessary, prepare position papers, prepare
 437 testimony, appear as a witness, and retain witnesses on behalf
 438 of state agencies in proceedings before the commission.

439 ~~(17)~~~~(20)~~ Unless delegated to the agencies ~~by the Chief~~
 440 ~~Information Officer~~, to manage and control, but not intercept or
 441 interpret, communications within the SUNCOM Network by:

442 (a) Establishing technical standards to physically
 443 interface with the SUNCOM Network.

444 (b) Specifying how communications are transmitted within
445 the SUNCOM Network.

446 (c) Controlling the routing of communications within the
447 SUNCOM Network.

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

450 (e) Ensuring orderly and reliable communications services
451 in accordance with the service level agreements executed with
452 state agencies.

453 ~~(21) To plan, design, and conduct experiments for~~
454 ~~information technology services, equipment, and technologies,~~
455 ~~and to implement enhancements in the state information~~
456 ~~technology system when in the public interest and cost-~~
457 ~~effective. Funding for such experiments shall be derived from~~
458 ~~SUNCOM Network service revenues and shall not exceed 2 percent~~
459 ~~of the annual budget for the SUNCOM Network for any fiscal year~~
460 ~~or as provided in the General Appropriations Act. New services~~
461 ~~offered as a result of this subsection shall not affect existing~~
462 ~~rates for facilities or services.~~

463 (18)~~(22)~~ To enter into contracts or agreements, with or
464 without competitive bidding or procurement, to make available,
465 on a fair, reasonable, and nondiscriminatory basis, property and
466 other structures under department ~~office~~ control for the
467 placement of new facilities by any wireless provider of mobile
468 service as defined in 47 U.S.C. s. 153(n) or s. 332(d) and any
469 telecommunications company as defined in s. 364.02 when it is
470 determined to be practical and feasible to make such property or
471 other structures available. The department ~~office~~ may, without

472 adopting a rule, charge a just, reasonable, and
473 nondiscriminatory fee for the placement of the facilities,
474 payable annually, based on the fair market value of space used
475 by comparable communications facilities in the state. The
476 department office and a wireless provider or telecommunications
477 company may negotiate the reduction or elimination of a fee in
478 consideration of services provided to the department office by
479 the wireless provider or telecommunications company. All such
480 fees collected by the department office shall be deposited
481 directly into the Law Enforcement Radio Operating Trust Fund,
482 and may be used by the department office to construct, maintain,
483 or support the system.

484 ~~(19)(23)~~ To provide an integrated electronic system for
485 deploying government products, services, and information to
486 individuals and businesses which reflects cost-effective
487 deployment strategies in keeping with industry standards and
488 practices and includes protections and security of private
489 information as well as maintenance of public records.

490 ~~(a) The integrated electronic system shall reflect cost-~~
491 ~~effective deployment strategies in keeping with industry~~
492 ~~standards and practices, including protections and security of~~
493 ~~private information as well as maintenance of public records.~~

494 ~~(b) The office shall provide a method for assessing fiscal~~
495 ~~accountability for the integrated electronic system and shall~~
496 ~~establish the organizational structure required to implement~~
497 ~~this system.~~

498 ~~(24) To provide administrative support to the Agency Chief~~
 499 ~~Information Officers Council and other workgroups created by the~~
 500 ~~Chief Information Officer.~~

501 ~~(25) To facilitate state information technology education~~
 502 ~~and training for senior management and other agency staff.~~

503 ~~(26) To prepare, on behalf of the Executive Office of the~~
 504 ~~Governor, memoranda on recommended guidelines and best practices~~
 505 ~~for information resources management, when requested.~~

506 ~~(27) To prepare, publish, and disseminate the State Annual~~
 507 ~~Report on Enterprise Resource Planning and Management under s.~~
 508 ~~282.310.~~

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

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

514 ~~(30) To designate a State Chief Privacy Officer who shall~~
 515 ~~be responsible for the continual review of policies, laws,~~
 516 ~~rules, and practices of state agencies which may affect the~~
 517 ~~privacy concerns of state residents.~~

518 Section 8. Section 282.103, Florida Statutes, is amended
 519 to read:

520 282.103 SUNCOM Network; exemptions from the required
 521 use.--

522 (1) There is created within the Department of Management
 523 Services ~~State Technology Office~~ the SUNCOM Network which shall
 524 be developed to serve as the state communications system for
 525 providing local and long-distance communications services to

526 state agencies, political subdivisions of the state,
527 municipalities, state universities, and nonprofit corporations
528 pursuant to ss. 282.101-282.111. The SUNCOM Network shall be
529 developed to transmit all types of communications signals,
530 including, but not limited to, voice, data, video, image, and
531 radio. State agencies shall cooperate and assist in the
532 development and joint use of communications systems and
533 services.

534 (2) The department ~~State Technology Office~~ shall design,
535 engineer, implement, manage, and operate through state
536 ownership, commercial leasing, or some combination thereof, the
537 facilities and equipment providing SUNCOM Network services, and
538 shall develop a system of equitable billings and charges for
539 communication services.

540 (3) All state agencies and state universities are required
541 to use the SUNCOM Network for agency and state university
542 communications services as the services become available;
543 however, no agency or university is relieved of responsibility
544 for maintaining communications services necessary for effective
545 management of its programs and functions. If a SUNCOM Network
546 service does not meet the communications requirements of an
547 agency or university, the agency or university shall notify the
548 department ~~State Technology Office~~ in writing and detail the
549 requirements for that communications service. If the department
550 ~~office~~ is unable to meet an agency's or university's
551 requirements by enhancing SUNCOM Network service, the department
552 ~~office~~ may grant the agency or university an exemption from the
553 required use of specified SUNCOM Network services.

554 Section 9. Section 282.104, Florida Statutes, is amended
 555 to read:

556 282.104 Use of state SUNCOM Network by
 557 municipalities.--Any municipality may request the department
 558 ~~State Technology Office~~ to provide any or all of the SUNCOM
 559 Network's portfolio of communications services upon such terms
 560 and under such conditions as the department ~~office~~ may
 561 establish. The requesting municipality shall pay its share of
 562 installation and recurring costs according to the published
 563 rates for SUNCOM Network services and as invoiced by the
 564 department ~~office~~. Such municipality shall also pay for any
 565 requested modifications to existing SUNCOM Network services, if
 566 any charges apply.

567 Section 10. Section 282.105, Florida Statutes, is amended
 568 to read:

569 282.105 Use of state SUNCOM Network by nonprofit
 570 corporations.--

571 (1) The department ~~State Technology Office~~ shall provide a
 572 means whereby private nonprofit corporations under contract with
 573 state agencies or political subdivisions of the state may use
 574 the state SUNCOM Network, subject to the limitations in this
 575 section. In order to qualify to use the state SUNCOM Network, a
 576 nonprofit corporation shall:

577 (a) Expend the majority of its total direct revenues for
 578 the provision of contractual services to the state, a
 579 municipality, or a political subdivision of the state; and

580 (b) Receive only a small portion of its total revenues
 581 from any source other than a state agency, a municipality, or a

582 political subdivision of the state during the period of time
 583 SUNCOM Network services are requested.

584 (2) Each nonprofit corporation seeking authorization to
 585 use the state SUNCOM Network pursuant to this section shall
 586 provide to the department office, upon request, proof of
 587 compliance with subsection (1).

588 (3) Nonprofit corporations established pursuant to general
 589 law and an association of municipal governments which is wholly
 590 owned by the municipalities shall be eligible to use the state
 591 SUNCOM Network, subject to the terms and conditions of the
 592 department office.

593 (4) Institutions qualified to participate in the William
 594 L. Boyd, IV, Florida Resident Access Grant Program pursuant to
 595 s. 1009.89 shall be eligible to use the state SUNCOM Network,
 596 subject to the terms and conditions of the department office.
 597 Such entities shall not be required to satisfy the other
 598 criteria of this section.

599 (5) Private, nonprofit elementary and secondary schools
 600 shall be eligible for rates and services on the same basis as
 601 public schools, providing these nonpublic schools do not have an
 602 endowment in excess of \$50 million.

603 Section 11. Section 282.106, Florida Statutes, is amended
 604 to read:

605 282.106 Use of SUNCOM Network by libraries.--The
 606 department ~~State Technology Office~~ may provide SUNCOM Network
 607 services to any library in the state, including libraries in
 608 public schools, community colleges, state universities, and
 609 nonprofit private postsecondary educational institutions, and

610 libraries owned and operated by municipalities and political
 611 subdivisions.

612 Section 12. Section 282.107, Florida Statutes, is amended
 613 to read:

614 282.107 SUNCOM Network; criteria for usage.--

615 (1) The department ~~State Technology Office~~ shall
 616 periodically review the qualifications of subscribers using the
 617 state SUNCOM Network and shall terminate services provided to
 618 any facility not qualified pursuant to ss. 282.101-282.111 or
 619 rules adopted hereunder. In the event of nonpayment of invoices
 620 by subscribers whose SUNCOM Network invoices are paid from
 621 sources other than legislative appropriations, such nonpayment
 622 represents good and sufficient reason to terminate service.

623 (2) The department ~~State Technology Office~~ shall adopt
 624 rules setting forth its procedures for withdrawing and restoring
 625 authorization to use the state SUNCOM Network. Such rules shall
 626 provide a minimum of 30 days' notice to affected parties prior
 627 to termination of voice communications service.

628 (3) Nothing in this section shall be construed to limit or
 629 restrict the ability of the Florida Public Service Commission to
 630 set jurisdictional tariffs of telecommunications companies.

631 Section 13. Section 282.1095, Florida Statutes, is amended
 632 to read:

633 282.1095 State agency law enforcement radio system and
 634 interoperability network.--

635 (1) The department ~~State Technology Office~~ may acquire and
 636 implement a statewide radio communications system to serve law
 637 enforcement units of state agencies, and to serve local law

638 enforcement agencies through mutual aid channels. The Joint Task
 639 Force on State Agency Law Enforcement Communications is
 640 established in the department ~~State Technology Office~~ to advise
 641 the department ~~office~~ of member-agency needs for the planning,
 642 designing, and establishment of the joint system. The State
 643 Agency Law Enforcement Radio System Trust Fund is established in
 644 the department ~~State Technology Office~~. The trust fund shall be
 645 funded from surcharges collected under ss. 320.0802 and 328.72.

646 (2)(a) The Joint Task Force on State Agency Law
 647 Enforcement Communications shall consist of eight members, as
 648 follows:

649 1. A representative of the Division of Alcoholic Beverages
 650 and Tobacco of the Department of Business and Professional
 651 Regulation who shall be appointed by the secretary of the
 652 department.

653 2. A representative of the Division of Florida Highway
 654 Patrol of the Department of Highway Safety and Motor Vehicles
 655 who shall be appointed by the executive director of the
 656 department.

657 3. A representative of the Department of Law Enforcement
 658 who shall be appointed by the executive director of the
 659 department.

660 4. A representative of the Fish and Wildlife Conservation
 661 Commission who shall be appointed by the executive director of
 662 the commission.

663 5. A representative of the Division of Law Enforcement of
 664 the Department of Environmental Protection who shall be
 665 appointed by the secretary of the department.

666 6. A representative of the Department of Corrections who
667 shall be appointed by the secretary of the department.

668 7. A representative of the Division of State Fire Marshal
669 of the Department of Financial Services who shall be appointed
670 by the State Fire Marshal.

671 8. A representative of the Department of Transportation
672 who shall be appointed by the secretary of the department.

673 (b) Each appointed member of the joint task force shall
674 serve at the pleasure of the appointing official. Any vacancy on
675 the joint task force shall be filled in the same manner as the
676 original appointment. Any joint task force member may, upon
677 notification to the chair prior to the beginning of any
678 scheduled meeting, appoint an alternative to represent the
679 member on the task force and vote on task force business in his
680 or her absence.

681 (c) The joint task force shall elect a chair from among
682 its members to serve a 1-year term. A vacancy in the chair of
683 the joint task force must be filled for the remainder of the
684 unexpired term by an election of the joint task force members.

685 (d) The joint task force shall meet as necessary, but at
686 least quarterly, at the call of the chair and at the time and
687 place designated by him or her.

688 (e) The per diem and travel expenses incurred by a member
689 of the joint task force in attending its meetings and in
690 attending to its affairs shall be paid pursuant to s. 112.061,
691 from funds budgeted to the state agency that the member
692 represents.

693 (f) The department ~~State Technology Office~~ is hereby
694 authorized to rent or lease space on any tower under its
695 control. The department ~~office~~ may also rent, lease, or sublease
696 ground space as necessary to locate equipment to support
697 antennae on the towers. The costs for use of such space shall be
698 established by the department ~~office~~ for each site, when it is
699 determined to be practicable and feasible to make space
700 available. The department ~~office~~ may refuse to lease space on
701 any tower at any site. All moneys collected by the department
702 ~~office~~ for such rents, leases, and subleases shall be deposited
703 directly into the Law Enforcement Radio Operating Trust Fund and
704 may be used by the department ~~office~~ to construct, maintain, or
705 support the system.

706 (g) The department ~~State Technology Office~~ is hereby
707 authorized to rent, lease, or sublease ground space on lands
708 acquired by the department ~~office~~ for the construction of
709 privately owned or publicly owned towers. The department ~~office~~
710 may, as a part of such rental, lease, or sublease agreement,
711 require space on said tower or towers for antennae as may be
712 necessary for the construction and operation of the state agency
713 law enforcement radio system or any other state need. The
714 positions necessary for the department ~~office~~ to accomplish its
715 duties under this paragraph and paragraph (f) shall be
716 established in the General Appropriations Act and shall be
717 funded by the Law Enforcement Radio Operating Trust Fund or
718 other revenue sources.

719 (h) The department ~~State Technology Office~~ may make the
720 mutual aid channels in the statewide radio communications system

721 available to federal agencies, state agencies, and agencies of
722 the political subdivisions of the state for the purpose of
723 public safety and domestic security. The department ~~office~~ shall
724 exercise its powers and duties, as specified in this chapter, to
725 plan, manage, and administer the mutual aid channels. The
726 department ~~office~~ shall, in implementing such powers and duties,
727 act in consultation and conjunction with the Department of Law
728 Enforcement and the Division of Emergency Management of the
729 Department of Community Affairs, and shall manage and administer
730 the mutual aid channels in a manner that reasonably addresses
731 the needs and concerns of the involved law enforcement agencies
732 and emergency response agencies and entities.

733 (3) Upon appropriation, moneys in the trust fund may be
734 used by the department ~~office~~ to acquire by competitive
735 procurement the equipment; software; and engineering,
736 administrative, and maintenance services it needs to construct,
737 operate, and maintain the statewide radio system. Moneys in the
738 trust fund collected as a result of the surcharges set forth in
739 ss. 320.0802 and 328.72 shall be used to help fund the costs of
740 the system. Upon completion of the system, moneys in the trust
741 fund may also be used by the department ~~office~~ to provide for
742 payment of the recurring maintenance costs of the system.

743 (4)(a) The department ~~office~~ shall, in conjunction with
744 the Department of Law Enforcement and the Division of Emergency
745 Management of the Department of Community Affairs, establish
746 policies, procedures, and standards which shall be incorporated
747 into a comprehensive management plan for the use and operation
748 of the statewide radio communications system.

749 (b) The joint task force, in consultation with the
 750 department office, shall have the authority to permit other
 751 state agencies to use the communications system, under terms and
 752 conditions established by the joint task force.

753 (5) The department office shall provide technical support
 754 to the joint task force and shall bear the overall
 755 responsibility for the design, engineering, acquisition, and
 756 implementation of the statewide radio communications system and
 757 for ensuring the proper operation and maintenance of all system
 758 common equipment.

759 (6)(a) The department ~~State Technology Office~~ may create
 760 and implement an interoperability network to enable
 761 interoperability between various radio communications
 762 technologies and to serve federal agencies, state agencies, and
 763 agencies of political subdivisions of the state for the purpose
 764 of public safety and domestic security. The department office
 765 shall, in conjunction with the Department of Law Enforcement and
 766 the Division of Emergency Management of the Department of
 767 Community Affairs, exercise its powers and duties pursuant to
 768 this chapter to plan, manage, and administer the
 769 interoperability network. The department office may:

770 1. Enter into mutual aid agreements among federal
 771 agencies, state agencies, and political subdivisions of the
 772 state for the use of the interoperability network.

773 2. Establish the cost of maintenance and operation of the
 774 interoperability network and charge subscribing federal and
 775 local law enforcement agencies for access and use of the
 776 network. The department ~~State Technology Office~~ may not charge

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777 state law enforcement agencies identified in paragraph (2)(a) to
 778 use the network.

779 3. In consultation with the Department of Law Enforcement
 780 and the Division of Emergency Management of the Department of
 781 Community Affairs, amend and enhance the statewide radio
 782 communications system as necessary to implement the
 783 interoperability network.

784 (b) The department ~~State Technology Office~~, in
 785 consultation with the Joint Task Force on State Agency Law
 786 Enforcement Communications, and in conjunction with the
 787 Department of Law Enforcement and the Division of Emergency
 788 Management of the Department of Community Affairs, shall
 789 establish policies, procedures, and standards to incorporate
 790 into a comprehensive management plan for the use and operation
 791 of the interoperability network.

792 Section 14. Section 282.111, Florida Statutes, is amended
 793 to read:

794 282.111 Statewide system of regional law enforcement
 795 communications.--

796 (1) It is the intent and purpose of the Legislature that a
 797 statewide system of regional law enforcement communications be
 798 developed whereby maximum efficiency in the use of existing
 799 radio channels is achieved in order to deal more effectively
 800 with the apprehension of criminals and the prevention of crime
 801 generally. To this end, all law enforcement agencies within the
 802 state are directed to provide the department ~~State Technology~~
 803 ~~Office~~ with any information the department ~~office~~ requests for
 804 the purpose of implementing the provisions of subsection (2).

805 (2) The department ~~State Technology Office~~ is hereby
 806 authorized and directed to develop and maintain a statewide
 807 system of regional law enforcement communications. In
 808 formulating such a system, the department ~~office~~ shall divide
 809 the state into appropriate regions and shall develop a program
 810 which shall include, but not be limited to, the following
 811 provisions:

812 (a) The communications requirements for each county and
 813 municipality comprising the region.

814 (b) An interagency communications provision which shall
 815 depict the communication interfaces between municipal, county,
 816 and state law enforcement entities which operate within the
 817 region.

818 (c) Frequency allocation and use provision which shall
 819 include, on an entity basis, each assigned and planned radio
 820 channel and the type of operation, simplex, duplex, or half-
 821 duplex, on each channel.

822 (3) The department ~~office~~ shall adopt any necessary rules
 823 and regulations for implementing and coordinating the statewide
 824 system of regional law enforcement communications.

825 (4) The secretary of the Department of Management Services
 826 ~~Chief Information Officer of the State Technology Office~~ or his
 827 or her designee is designated as the director of the statewide
 828 system of regional law enforcement communications and, for the
 829 purpose of carrying out the provisions of this section, is
 830 authorized to coordinate the activities of the system with other
 831 interested state agencies and local law enforcement agencies.

832 (5) No law enforcement communications system shall be
 833 established or present system expanded without the prior
 834 approval of the department ~~State Technology Office~~.

835 (6) Within the limits of its capability, the Department of
 836 Law Enforcement is encouraged to lend assistance to the
 837 department ~~State Technology Office~~ in the development of the
 838 statewide system of regional law enforcement communications
 839 proposed by this section.

840 Section 15. Section 282.20, Florida Statutes, is amended
 841 to read:

842 282.20 Technology Resource Center.--

843 (1)(a) The Department of Management Services ~~State~~
 844 ~~Technology Office~~ shall operate and manage the Technology
 845 Resource Center.

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

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

850 2. "Customer" means a state agency or other entity which
 851 is authorized to utilize the SUNCOM Network pursuant to this
 852 part.

853 (2) The Technology Resource Center shall:

854 (a) Serve the department ~~office~~ and other customers as an
 855 information-system utility.

856 (b) Cooperate with customers to offer, develop, and
 857 support a wide range of services and applications needed by
 858 users of the Technology Resource Center.

859 (c) Cooperate with the Florida Legal Resource Center of
860 the Department of Legal Affairs and other state agencies to
861 develop and provide access to repositories of legal information
862 throughout the state.

863 (d) Cooperate with the department ~~office~~ to facilitate
864 interdepartmental networking and integration of network services
865 for its customers.

866 (e) Assist customers in testing and evaluating new and
867 emerging technologies that could be used to meet the needs of
868 the state.

869 (3) The department ~~office~~ may contract with customers to
870 provide any combination of services necessary for agencies to
871 fulfill their responsibilities and to serve their users.

872 (4) The Technology Resource Center may plan, design,
873 establish pilot projects for, and conduct experiments with
874 information technology resources, and may implement enhancements
875 in services when such implementation is cost-effective. Funding
876 for experiments and pilot projects shall be derived from service
877 revenues and may not exceed 5 percent of the service revenues
878 for the Technology Resource Center for any single fiscal year.
879 Any experiment, pilot project, plan, or design must be approved
880 by the secretary of the department ~~Chief Information Officer~~.

881 (5) Notwithstanding the provisions of s. 216.272, the
882 Technology Resource Center may spend funds in the reserve
883 account of the Technology Enterprise Operating Trust Fund for
884 enhancements to center operations or for information technology
885 resources. Any expenditure of reserve account funds must be
886 approved by the secretary of the department ~~Chief Information~~

887 ~~Officer~~. Any funds remaining in the reserve account at the end
 888 of the fiscal year may be carried forward and spent as approved
 889 by the secretary ~~Chief Information Officer~~, provided that such
 890 approval conforms to any applicable provisions of chapter 216.

891 Section 16. Section 282.21, Florida Statutes, is amended
 892 to read:

893 282.21 ~~The State Technology Office's~~ Electronic access
 894 services of the department.--The department ~~State Technology~~
 895 ~~Office~~ may collect fees for providing remote electronic access
 896 pursuant to s. 119.07(2). The fees may be imposed on individual
 897 transactions or as a fixed subscription for a designated period
 898 of time. All fees collected under this section shall be
 899 deposited in the appropriate trust fund of the program or
 900 activity that made the remote electronic access available.

901 Section 17. Section 282.22, Florida Statutes, is amended
 902 to read:

903 282.22 ~~State Technology Office;~~ Production, dissemination,
 904 and ownership of materials and products.--

905 (1) It is the intent of the Legislature that when
 906 materials, products, information, and services are acquired or
 907 developed by or under the direction of the department ~~State~~
 908 ~~Technology Office~~, through research and development or other
 909 efforts, including those subject to copyright, patent, or
 910 trademark, they shall be made available for use by state and
 911 local government entities at the earliest practicable date and
 912 in the most economical and efficient manner possible and
 913 consistent with chapter 119.

914 (2) To accomplish this objective the department ~~office~~ is
 915 authorized to publish or partner with private sector entities to
 916 produce or have produced materials and products and to make them
 917 readily available for appropriate use. The department ~~office~~ is
 918 authorized to charge an amount or receive value-added services
 919 adequate to cover the essential cost of producing and
 920 disseminating such materials, information, services, or products
 921 and is authorized to sell services.

922 (3) In cases in which the materials or products are of
 923 such nature, or the circumstances are such, that it is not
 924 practicable or feasible for the department ~~office~~ to produce or
 925 have produced materials and products so developed, it is
 926 authorized, after review and approval by the Executive Office of
 927 the Governor, to license, lease, assign, sell, or otherwise give
 928 written consent to any person, firm, or corporation for the
 929 manufacture or use thereof, on a royalty basis, or for such
 930 other consideration as the department ~~office~~ shall deem proper
 931 and in the best interest of the state; the department ~~office~~ is
 932 authorized and directed to protect same against improper or
 933 unlawful use or infringement and to enforce the collection of
 934 any sums due for the manufacture or use thereof by any other
 935 party.

936 (4) All proceeds from the sale of such materials and
 937 products or other money collected pursuant to this section shall
 938 be deposited into the Grants and Donations Trust Fund of the
 939 department ~~office~~ and, when properly budgeted as approved by the
 940 Legislature and the Executive Office of the Governor, used to

941 pay the cost of producing and disseminating materials and
 942 products to carry out the intent of this section.

943 Section 18. Section 282.23, Florida Statutes, is repealed.

944 Section 19. Section 282.3025, Florida Statutes, is created
 945 to read:

946 282.3025 State Technology Office; powers and duties.--

947 (1) There is created a State Technology Office in the
 948 Department of Management Services. The office shall be headed by
 949 a State Chief Information Officer who is appointed by the
 950 secretary of the department in consultation with the Executive
 951 Office of the Governor. The Department of Management Services
 952 shall provide administrative support and oversight of the
 953 office.

954 (2) The office shall have the following powers, duties,
 955 and functions:

956 (a) Develop enterprise information technology mission,
 957 goals, and objectives consistent with the provisions of s.
 958 282.3032 and in consultation with the Agency Chief Information
 959 Officers Council for publication in the State Annual Information
 960 Technology Investment Portfolio Report.

961 (b) Develop plans for achievement of the enterprise
 962 information technology mission, goals, and objectives.

963 (c) Develop enterprise information technology policies,
 964 standards, guidelines, and procedures in consultation with the
 965 Agency Chief Information Officers Council and the department for
 966 enterprise architecture, disaster recovery, security, computing,
 967 networks, and communications.

968 (d) Adopt, in consultation with the Agency Chief
 969 Information Officers Council and the Technology Review
 970 Workgroup, a project management methodology for use by the
 971 agencies.

972 (e) Serve on agency information technology project
 973 management teams for enterprise initiatives.

974 (f) Provide project management services for agency
 975 information technology initiatives identified by the Legislature
 976 as requiring such assistance.

977 (g) Review recommendations made by the Agency Chief
 978 Information Officers Council for improving information
 979 technology in agencies or the state and make recommendations to
 980 the Governor and the Legislature for consideration during
 981 legislative session.

982 (h) Develop, in consultation with the Agency Chief
 983 Information Officers Council, a model for formation of an agency
 984 information technology investment board, the associated
 985 processes, and an information technology investment portfolio.

986 (i) Review each agency information technology investment
 987 portfolio and make recommendations to the Governor and the
 988 Legislature regarding opportunities consistent with ss. 282.005
 989 and 282.3032.

990 (j) Prepare the State Annual Information Technology
 991 Investment Portfolio Report as defined in s. 282.310.

992 (k) Review the agency information technology issues
 993 developed pursuant to s. 216.023 and make recommendations to the
 994 Governor and the Legislature consistent with the provisions of
 995 ss. 282.005 and 282.3032.

996 (1) Prepare, on behalf of the Executive Office of the
 997 Governor, memoranda on recommended guidelines and best practices
 998 for information technology, when requested.

999 Section 20. Section 282.3031, Florida Statutes, is amended
 1000 to read:

1001 282.3031 Assignment of information technology planning and
 1002 ~~resources~~ management responsibilities.--For purposes of ss.
 1003 282.3032-282.322 ~~282.303-282.322~~, to ensure the best management
 1004 of state information technology resources, and notwithstanding
 1005 other provisions of law to the contrary, the functions of
 1006 information technology planning and ~~resources~~ management are
 1007 assigned to the university boards of trustees for the
 1008 development and implementation of planning, management,
 1009 rulemaking, standards, and guidelines for the state
 1010 universities; to the community college boards of trustees for
 1011 establishing and developing rules for the community colleges; to
 1012 the Supreme Court for the judicial branch; and to each state
 1013 attorney and public defender; ~~and to the State Technology Office~~
 1014 ~~for the agencies within the executive branch of state~~
 1015 ~~government.~~

1016 Section 21. Section 282.3032, Florida Statutes, is amended
 1017 to read:

1018 282.3032 Development and implementation of information
 1019 technology systems; guiding principles.--To ensure the best
 1020 management of the state's information technology resources, the
 1021 following guiding principles are adopted:

1022 (1) Information technology ~~Enterprise resource~~ planning
 1023 and management by state governmental entities is a prerequisite

1024 for the effective development and implementation of information
 1025 systems to enable sharing of data and cost-effective and
 1026 efficient services to individuals.

1027 (2) ~~The Enterprise resource planning process, as well as~~
 1028 coordination and ~~of~~ development efforts, should include all
 1029 principals from agencies impacted by the development from the
 1030 outset.

1031 (3) State governmental entities should be committed to
 1032 maximizing information sharing and participate in enterprise-
 1033 wide efforts when appropriate.

1034 (4) State governmental entities should maximize public
 1035 access to data, while complying with legitimate security,
 1036 privacy, and confidentiality requirements.

1037 (5) State governmental entities should strive for an
 1038 integrated electronic system for providing individuals with
 1039 agency services and information to the extent possible.

1040 (6) To the extent that state government entities charge
 1041 each other for data, this practice, insofar as possible, should
 1042 be eliminated. Further, when the capture of data for mutual
 1043 benefit can be accomplished, the costs for the development,
 1044 capture, and network for access to that data should be shared.

1045 (7) The redundant capture, storage, and dissemination of
 1046 data should, insofar as possible, be eliminated.

1047 (8) Only data that are auditable, or that otherwise can be
 1048 determined to be accurate, valid, and reliable, should be
 1049 maintained.

1050 (9) Methods of sharing data among different protocols
 1051 should be developed without requiring major redesign or
 1052 replacement of individual systems.

1053 (10) Integration of systems and data elements should be
 1054 supported and achieved by establishing policies, standards,
 1055 guidelines, and procedures ~~definitions, formats, and integrated~~
 1056 ~~electronic systems, when possible.~~

1057 Section 22. Section 282.3055, Florida Statutes, is amended
 1058 to read:

1059 282.3055 Agency chief information officer; appointment;
 1060 duties.--

1061 (1)(a) To assist the agency head ~~State Technology Officer~~
 1062 in carrying out information technology ~~the enterprise resource~~
 1063 planning and management responsibilities, the agency head ~~Chief~~
 1064 ~~Information Officer~~ may appoint or contract for an agency chief
 1065 information officer. This position may be full time or part
 1066 time.

1067 (b) The agency chief information officer must, at a
 1068 minimum, have knowledge and experience in both management and
 1069 information technology resources.

1070 (2) The duties of the agency chief information officer
 1071 include, but are not limited to:

1072 (a) Coordinating and facilitating agency information
 1073 technology ~~enterprise resource~~ planning and management projects
 1074 and initiatives.

1075 (b) Preparing the an agency annual information technology
 1076 investment portfolio report ~~on enterprise resource planning and~~
 1077 ~~management~~ pursuant to s. 282.3063.

1078 (c) Developing and implementing agency information
 1079 technology ~~enterprise resource~~ planning and management policies,
 1080 procedures, guidelines, and standards, ~~including specific~~
 1081 ~~policies and procedures for review and approval of the agency's~~
 1082 ~~purchases of information technology resources in accordance with~~
 1083 ~~the office's policies and procedures.~~

1084 (d) Advising agency senior management as to the
 1085 information technology ~~enterprise resource~~ planning and
 1086 management and the information technology infrastructure needs
 1087 of the agency ~~for inclusion in planning documents required by~~
 1088 ~~law.~~

1089 (e) Staffing and supporting an agency information
 1090 technology investment board.

1091 (f)~~(e)~~ Assisting in the development and prioritization of
 1092 the information technology ~~enterprise resource~~ planning and
 1093 ~~management~~ schedule of the agency's legislative budget request.

1094 Section 23. Section 282.3063, Florida Statutes, is amended
 1095 to read:

1096 282.3063 Agency Annual Information Technology Investment
 1097 Portfolio ~~Enterprise Resource Planning and Management~~ Report.--

1098 (1) By September 1 of each year, each agency chief
 1099 information officer shall prepare and submit to the State
 1100 Technology Office an Agency Annual Information Technology
 1101 Investment Portfolio ~~Enterprise Resource Planning and Management~~
 1102 Report. ~~Following consultation with the State Technology Office~~
 1103 ~~and the agency chief information officers Council,~~ The Executive
 1104 Office of the Governor and the fiscal committees of the

1105 Legislature shall jointly develop and issue instructions for the
 1106 format and contents of the report.

1107 (2) The Agency Annual Information Technology Investment
 1108 Portfolio ~~Enterprise Resource Planning and Management~~ Report
 1109 shall contain, at a minimum, the following:

1110 (a) A forecast of information technology projects and
 1111 their cost and priority ~~enterprise resource planning and~~
 1112 ~~management priorities and initiatives~~ for the ensuing 2 years.

1113 (b) A description of the current information technology
 1114 ~~enterprise resource planning and management~~ infrastructure of
 1115 the agency and planned changes for the ensuing 2 years.

1116 (c) A status report on the major information technology
 1117 ~~enterprise resource planning and management~~ projects of the
 1118 agency.

1119 (d) An assessment of the progress made toward implementing
 1120 enterprise information technology policies, standards,
 1121 guidelines, and procedures ~~the prior fiscal year legislative~~
 1122 ~~appropriation to the agency for enterprise resource planning and~~
 1123 ~~management.~~

1124 (e) The estimated value of the information technology
 1125 investment portfolio ~~expenditures by the agency for enterprise~~
 1126 ~~resource planning and management~~ for the prior fiscal year.

1127 ~~(f) An inventory list, by major categories, of the agency~~
 1128 ~~information technology resources, which specifically identifies~~
 1129 ~~the resources acquired during the previous fiscal year.~~

1130 ~~(f)(g)~~ An assessment of opportunities for the agency to
 1131 fulfill the guidelines in s. 282.3032 ~~share enterprise resource~~

1132 ~~planning and management projects or initiatives with other~~
 1133 ~~governmental or private entities.~~

1134 ~~(h) A list of enterprise resource planning and management~~
 1135 ~~issues the agency has identified as statewide issues.~~

1136 Section 24. Section 282.310, Florida Statutes, is amended
 1137 to read:

1138 282.310 State Annual Information Technology Investment
 1139 Portfolio Report ~~on Enterprise Resource Planning and~~
 1140 ~~Management.~~--

1141 (1) By February 15 of each year, the State Technology
 1142 Office shall develop a State Annual Information Technology
 1143 Investment Portfolio Report ~~on Enterprise Resource Planning and~~
 1144 ~~Management.~~

1145 (2) The State Annual Information Technology Investment
 1146 Portfolio Report ~~on Enterprise Resource Planning and Management~~
 1147 shall contain, at a minimum, the following:

1148 (a) The state vision for enterprise information technology
 1149 ~~resource~~ planning and management.

1150 (b) A forecast of the state information technology
 1151 projects, their cost, and priority ~~enterprise resource planning~~
 1152 ~~and management priorities and initiatives~~ for the ensuing 2
 1153 years.

1154 (c) A summary of major statewide policies recommended by
 1155 the State Technology Office for enterprise information
 1156 technology ~~resource~~ planning and management.

1157 (d) A summary of memoranda issued by the Executive Office
 1158 of the Governor.

1159 (e) An assessment of the overall progress toward an
1160 integrated electronic system for deploying government products,
1161 services, and information to individuals and businesses and
1162 state enterprise information technology ~~resource~~ planning and
1163 management initiatives and priorities for the past fiscal year.

1164 (f) A summary of major statewide issues related to
1165 improving enterprise information technology ~~resource~~ planning
1166 and management by the state.

1167 ~~(g) An inventory list, by major categories, of state~~
1168 ~~information technology resources.~~

1169 ~~(g)(h)~~ (g) A summary of the total agency expenditures or
1170 descriptions of agreements, contracts, or partnerships for
1171 enterprise information technology ~~resource~~ planning and
1172 management ~~and of enterprise-wide procurements done by the~~
1173 ~~office on behalf of the state.~~

1174 ~~(h)(i)~~ (h) A summary of the opportunities for government
1175 agencies or entities to fulfill the guidelines provided in s.
1176 282.3032 ~~share enterprise resource planning and management~~
1177 ~~projects or initiatives with other governmental or private~~
1178 ~~sector entities.~~

1179
1180 The state annual report shall also include ~~enterprise resource~~
1181 ~~planning and management~~ information from the annual reports
1182 prepared by the state universities and the community colleges,
1183 from the Supreme Court for the judicial branch, and from the
1184 Justice Administrative Commission on behalf of the state
1185 attorneys and public defenders. Expenditure information shall be
1186 taken from each agency's annual report as well as the annual

1187 reports of the state universities and the community colleges,
 1188 the Supreme Court, and the Justice Administrative Commission.

1189 (3) The state annual report shall be made available in
 1190 writing or through electronic means to the Executive Office of
 1191 the Governor, the President of the Senate, the Speaker of the
 1192 House of Representatives, and the Chief Justice of the Supreme
 1193 Court.

1194 Section 25. Section 282.315, Florida Statutes, is amended
 1195 to read:

1196 282.315 Agency Chief Information Officers Council;
 1197 creation.--The Legislature finds that enhancing communication,
 1198 consensus building, coordination, and facilitation of statewide
 1199 enterprise information technology ~~resource~~ planning and
 1200 management issues is essential to improving state management of
 1201 such resources.

1202 (1) There is created an Agency Chief Information Officers
 1203 Council to:

1204 (a) Enhance communication among the agency chief
 1205 information officers and the State Technology Office ~~by sharing~~
 1206 ~~enterprise resource planning and management experiences and~~
 1207 ~~exchanging ideas.~~

1208 (b) Identify and recommend ~~Facilitate the sharing of~~ best
 1209 practices that are characteristic of highly successful
 1210 technology organizations, as well as exemplary information
 1211 technology applications of state agencies, and assist the State
 1212 Technology Office in the development of policies, standards,
 1213 guidelines, and procedures for use by all state agencies.

1214 (c) Identify efficiency opportunities among state agencies
 1215 to fulfill the guidelines in s. 282.3032 and make
 1216 recommendations for action to the State Technology Office.

1217 (d) Serve as an educational forum for enterprise
 1218 information technology resource planning and management issues.

1219 (e) Identify ~~Assist the State Technology Office in~~
 1220 ~~identifying~~ critical statewide issues and, when appropriate,
 1221 make recommendations to the State Technology Office for solving
 1222 enterprise information technology resource planning and
 1223 management deficiencies.

1224 (2) Members of the council shall include the agency chief
 1225 information officers, including the chief information officers
 1226 of the agencies and governmental entities enumerated in s.
 1227 282.3031, except that there shall be one chief information
 1228 officer selected by the state attorneys and one chief
 1229 information officer selected by the public defenders. The
 1230 chairs, or their designees, of the Florida Financial Management
 1231 Information System Coordinating Council, the Criminal and
 1232 Juvenile Justice Information Systems Council, and the Health
 1233 Information Systems Council shall represent their respective
 1234 organizations on the Agency Chief Information Officers Council
 1235 as voting members. The council shall appoint a chair, a vice
 1236 chair, and a secretary from its members to serve a 1-year term
 1237 each. The council shall establish procedures to govern council
 1238 business.

1239 (3) The State Technology Office shall provide
 1240 administrative support to the council.

1241 Section 26. Section 282.318, Florida Statutes, is amended
 1242 to read:

1243 282.318 Security of data and information technology
 1244 resources.--

1245 (1) This section may be cited as the "Security of Data and
 1246 Information Technology Infrastructure Resources Act."

1247 (2)(a) ~~The State Technology Office, in consultation with~~
 1248 Each agency head, is responsible and accountable for assuring an
 1249 adequate level of security for all data and information
 1250 technology infrastructure resources of each agency and, to carry
 1251 out this responsibility, shall, at a minimum:

1252 1. Designate an information security manager who shall
 1253 administer the security program of each agency for its data and
 1254 information technology resources.

1255 2. Conduct, and periodically update, a comprehensive risk
 1256 analysis to determine the security threats to the data and
 1257 information technology infrastructure resources of each agency.
 1258 The risk analysis information is confidential and exempt from
 1259 the provisions of s. 119.07(1), except that such information
 1260 shall be available to the Auditor General in performing his or
 1261 her postauditing duties.

1262 3. Develop, and periodically update, written internal
 1263 policies and procedures to assure the security of the data and
 1264 information technology infrastructure resources of each agency.
 1265 The internal policies and procedures which, if disclosed, could
 1266 facilitate the unauthorized modification, disclosure, or
 1267 destruction of data or information technology infrastructure
 1268 ~~resources~~ are confidential information and exempt from the

1269 provisions of s. 119.07(1), except that such information shall
 1270 be available to the Auditor General in performing his or her
 1271 postauditing duties.

1272 4. Implement appropriate cost-effective safeguards to
 1273 reduce, eliminate, or recover from the identified risks to the
 1274 data and information technology infrastructure ~~resources~~ of each
 1275 agency.

1276 5. Ensure that periodic internal audits and evaluations of
 1277 each security program for the data and information technology
 1278 infrastructure ~~resources~~ of the agency are conducted. The
 1279 results of such internal audits and evaluations are confidential
 1280 information and exempt from the provisions of s. 119.07(1),
 1281 except that such information shall be available to the Auditor
 1282 General in performing his or her postauditing duties.

1283 6. Include appropriate security requirements, as
 1284 determined by the Department of Management Services ~~State~~
 1285 ~~Technology Office~~, in consultation with each agency head, in the
 1286 written specifications for the solicitation of information
 1287 technology resources.

1288 (b) In those instances in which the department ~~State~~
 1289 ~~Technology Office~~ develops state contracts for use by state
 1290 agencies, the department ~~office~~ shall include appropriate
 1291 security requirements in the specifications for the solicitation
 1292 for state contracts for procuring information technology
 1293 infrastructure ~~resources~~.

1294 Section 27. Paragraph (a) of subsection (3), subsections
 1295 (4), (5), (7), (9), (10), and (12), and paragraph (a) of

1296 subsection (13) of section 365.171, Florida Statutes, are
 1297 amended to read:

1298 365.171 Emergency telephone number "911."--

1299 (3) DEFINITIONS.--As used in this section:

1300 (a) "Department Office" means the Department of Management
 1301 Services State Technology Office.

1302 (4) STATE PLAN.--The department office shall develop a
 1303 statewide emergency telephone number "911" system plan. The plan
 1304 shall provide for:

1305 (a) The establishment of the public agency emergency
 1306 telephone communications requirements for each entity of local
 1307 government in the state.

1308 (b) A system to meet specific local government
 1309 requirements. Such system shall include law enforcement,
 1310 firefighting, and emergency medical services and may include
 1311 other emergency services such as poison control, suicide
 1312 prevention, and emergency management services.

1313 (c) Identification of the mutual aid agreements necessary
 1314 to obtain an effective "911" system.

1315 (d) A funding provision which shall identify the cost
 1316 necessary to implement the "911" system.

1317 (e) A firm implementation schedule which shall include the
 1318 installation of the "911" system in a local community within 24
 1319 months after the designated agency of the local government gives
 1320 a firm order to the telephone utility for a "911" system.

1321
 1322 The department office shall be responsible for the
 1323 implementation and coordination of such plan. The department

1324 ~~office~~ shall adopt any necessary rules and schedules related to
 1325 public agencies for implementing and coordinating such plan,
 1326 pursuant to chapter 120. The public agency designated in the
 1327 plan shall order such system within 6 months after publication
 1328 date of the plan if the public agency is in receipt of funds
 1329 appropriated by the Legislature for the implementation and
 1330 maintenance of the "911" system. Any jurisdiction which has
 1331 utilized local funding as of July 1, 1976, to begin the
 1332 implementation of the state plan as set forth in this section
 1333 shall be eligible for at least a partial reimbursement of its
 1334 direct cost when, and if, state funds are available for such
 1335 reimbursement.

1336 (5) SYSTEM DIRECTOR.--The secretary ~~director~~ of the
 1337 department ~~office~~ or his or her designee is designated as the
 1338 director of the statewide emergency telephone number "911"
 1339 system and, for the purpose of carrying out the provisions of
 1340 this section, is authorized to coordinate the activities of the
 1341 system with state, county, local, and private agencies. The
 1342 secretary ~~director~~ is authorized to employ not less than five
 1343 persons, three of whom will be at the professional level, one at
 1344 the secretarial level, and one to fill a fiscal position, for
 1345 the purpose of carrying out the provisions of this section. The
 1346 secretary ~~director~~ in implementing the system shall consult,
 1347 cooperate, and coordinate with local law enforcement agencies.

1348 (7) TELEPHONE INDUSTRY COORDINATION.--The department
 1349 ~~office~~ shall coordinate with the Florida Public Service
 1350 Commission which shall encourage the Florida telephone industry

1351 to activate facility modification plans for a timely "911"
 1352 implementation.

1353 (9) SYSTEM APPROVAL.--No emergency telephone number "911"
 1354 system shall be established and no present system shall be
 1355 expanded without prior approval of the department ~~office~~.

1356 (10) COMPLIANCE.--All public agencies shall assist the
 1357 department ~~office~~ in their efforts to carry out the intent of
 1358 this section, and such agencies shall comply with the developed
 1359 plan.

1360 (12) FEDERAL ASSISTANCE.--The secretary of the department
 1361 ~~office~~ or his or her designee may apply for and accept federal
 1362 funding assistance in the development and implementation of a
 1363 statewide emergency telephone number "911" system.

1364 (13) "911" FEE.--

1365 (a) Following approval by referendum as set forth in
 1366 paragraph (b), or following approval by a majority vote of its
 1367 board of county commissioners, a county may impose a "911" fee
 1368 to be paid by the local exchange subscribers within its
 1369 boundaries served by the "911" service. Proceeds from the "911"
 1370 fee shall be used only for "911" expenditures as set forth in
 1371 subparagraph 6. The manner of imposing and collecting said
 1372 payment shall be as follows:

1373 1. At the request of the county subscribing to "911"
 1374 service, the telephone company shall, insofar as is practicable,
 1375 bill the "911" fee to the local exchange subscribers served by
 1376 the "911" service, on an individual access line basis, at a rate
 1377 not to exceed 50 cents per month per line (up to a maximum of 25
 1378 access lines per account bill rendered). However, the fee may

1379 not be assessed on any pay telephone in this state. A county
 1380 collecting the fee for the first time may collect the fee for no
 1381 longer than 36 months without initiating the acquisition of its
 1382 "911" equipment.

1383 2. Fees collected by the telephone company pursuant to
 1384 subparagraph 1. shall be returned to the county, less the costs
 1385 of administration retained pursuant to paragraph (c). The county
 1386 shall provide a minimum of 90 days' written notice to the
 1387 telephone company prior to the collection of any "911" fees.

1388 3. Any county that currently has an operational "911"
 1389 system or that is actively pursuing the implementation of a
 1390 "911" system shall establish a fund to be used exclusively for
 1391 receipt and expenditure of "911" fee revenues collected pursuant
 1392 to this section. All fees placed in said fund, and any interest
 1393 accrued thereupon, shall be used solely for "911" costs
 1394 described in subparagraph 6. The money collected and interest
 1395 earned in this fund shall be appropriated for "911" purposes by
 1396 the county commissioners and incorporated into the annual county
 1397 budget. Such fund shall be included within the financial audit
 1398 performed in accordance with s. 218.39. A report of the audit
 1399 shall be forwarded to the department ~~office~~ within 60 days of
 1400 its completion. A county may carry forward on an annual basis
 1401 unspent moneys in the fund for expenditures allowed by this
 1402 section, or it may reduce its fee. However, in no event shall a
 1403 county carry forward more than 10 percent of the "911" fee
 1404 billed for the prior year. The amount of moneys carried forward
 1405 each year may be accumulated in order to allow for capital
 1406 improvements described in this subsection. The carryover shall

1407 be documented by resolution of the board of county commissioners
1408 expressing the purpose of the carryover or by an adopted capital
1409 improvement program identifying projected expansion or
1410 replacement expenditures for "911" equipment and service
1411 features, or both. In no event shall the "911" fee carryover
1412 surplus moneys be used for any purpose other than for the "911"
1413 equipment, service features, and installation charges authorized
1414 in subparagraph 6. Nothing in this section shall prohibit a
1415 county from using other sources of revenue for improvements,
1416 replacements, or expansions of its "911" system. A county may
1417 increase its fee for purposes authorized in this section.
1418 However, in no case shall the fee exceed 50 cents per month per
1419 line. All current "911" fees shall be reported to the department
1420 ~~office~~ within 30 days of the start of each county's fiscal
1421 period. Any fee adjustment made by a county shall be reported to
1422 the department ~~office~~. A county shall give the telephone company
1423 a 90-day written notice of such fee adjustment.

1424 4. The telephone company shall have no obligation to take
1425 any legal action to enforce collection of the "911" fee. The
1426 telephone company shall provide quarterly to the county a list
1427 of the names, addresses, and telephone numbers of any and all
1428 subscribers who have identified to the telephone company their
1429 refusal to pay the "911" fee.

1430 5. The county subscribing to "911" service shall remain
1431 liable to the telephone company for any "911" service,
1432 equipment, operation, or maintenance charge owed by the county
1433 to the telephone company.

1434

1435 ~~As used in this paragraph, "telephone company" means an exchange~~
 1436 ~~telephone service provider of "911" service or equipment to any~~
 1437 ~~county within its certificated area.~~

1438 6. It is the intent of the Legislature that the "911" fee
 1439 authorized by this section to be imposed by counties will not
 1440 necessarily provide the total funding required for establishing
 1441 or providing the "911" service. For purposes of this section,
 1442 "911" service includes the functions of database management,
 1443 call taking, location verification, and call transfer. The
 1444 following costs directly attributable to the establishment
 1445 and/or provision of "911" service are eligible for expenditure
 1446 of moneys derived from imposition of the "911" fee authorized by
 1447 this section: the acquisition, implementation, and maintenance
 1448 of Public Safety Answering Point (PSAP) equipment and "911"
 1449 service features, as defined in the Florida Public Service
 1450 Commission's lawfully approved "911" and related tariffs and/or
 1451 the acquisition, installation, and maintenance of other "911"
 1452 equipment, including call answering equipment, call transfer
 1453 equipment, ANI controllers, ALI controllers, ANI displays, ALI
 1454 displays, station instruments, "911" telecommunications systems,
 1455 teleprinters, logging recorders, instant playback recorders,
 1456 telephone devices for the deaf (TDD) used in the "911" system,
 1457 PSAP backup power systems, consoles, automatic call
 1458 distributors, and interfaces (hardware and software) for
 1459 computer-aided dispatch (CAD) systems; salary and associated
 1460 expenses for "911" call takers for that portion of their time
 1461 spent taking and transferring "911" calls; salary and associated
 1462 expenses for a county to employ a full-time equivalent "911"

1463 coordinator position and a full-time equivalent staff assistant
 1464 position per county for the portion of their time spent
 1465 administrating the "911" system; training costs for PSAP call
 1466 takers in the proper methods and techniques used in taking and
 1467 transferring "911" calls; expenses required to develop and
 1468 maintain all information (ALI and ANI databases and other
 1469 information source repositories) necessary to properly inform
 1470 call takers as to location address, type of emergency, and other
 1471 information directly relevant to the "911" call-taking and
 1472 transferring function; and, in a county defined in s.
 1473 125.011(1), such expenses related to a nonemergency "311"
 1474 system, or similar nonemergency system, which improves the
 1475 overall efficiency of an existing "911" system or reduces "911"
 1476 emergency response time for a 2-year pilot project that ends
 1477 June 30, 2003. However, no wireless telephone service provider
 1478 shall be required to participate in this pilot project or to
 1479 otherwise implement a nonemergency "311" system or similar
 1480 nonemergency system. The "911" fee revenues shall not be used to
 1481 pay for any item not listed, including, but not limited to, any
 1482 capital or operational costs for emergency responses which occur
 1483 after the call transfer to the responding public safety entity
 1484 and the costs for constructing buildings, leasing buildings,
 1485 maintaining buildings, or renovating buildings, except for those
 1486 building modifications necessary to maintain the security and
 1487 environmental integrity of the PSAP and "911" equipment rooms.
 1488 7. It is the goal of the Legislature that enhanced "911"
 1489 service be available throughout the state. Expenditure by
 1490 counties of the "911" fees authorized by this section should

1491 support this goal to the greatest extent feasible within the
 1492 context of local service needs and fiscal capability. Nothing in
 1493 this section shall be construed to prohibit two or more counties
 1494 from establishing a combined emergency "911" telephone service
 1495 by interlocal agreement and utilizing the "911" fees authorized
 1496 by this section for such combined "911" service.

1497
 1498 As used in this paragraph, "telephone company" means an exchange
 1499 telephone service provider of "911" service or equipment to any
 1500 county within its certificated area.

1501 Section 28. Paragraph (d) of subsection (2), paragraph (f)
 1502 of subsection (3), subsection (4), paragraph (a) of subsection
 1503 (5), and paragraphs (c) and (d) of subsection (6) of section
 1504 365.172, Florida Statutes, are amended to read:

1505 365.172 Wireless emergency telephone number "E911."--

1506 (2) FINDINGS, PURPOSE, AND LEGISLATIVE INTENT.--The
 1507 Legislature finds and declares that:

1508 (d) The revenues generated by the E911 fee imposed under
 1509 this section are required to fund the efforts of the counties,
 1510 the Wireless 911 Board under the Department of Management
 1511 Services ~~State Technology Office~~, and commercial mobile radio
 1512 service providers to improve the public health, safety, and
 1513 welfare and serve a public purpose by providing emergency
 1514 telephone assistance through wireless communications.

1515 (3) DEFINITIONS.--As used in this section and ss. 365.173
 1516 and 365.174, the term:

1517 (f) "Department Office" means the Department of Management
 1518 Services ~~State Technology Office~~.

1519 (4) POWERS AND DUTIES OF THE DEPARTMENT ~~OFFICE~~.--The
 1520 department ~~office~~ shall oversee the administration of the fee
 1521 imposed on subscribers of statewide E911 service under
 1522 subsection (8).

1523 (5) THE WIRELESS 911 BOARD.--

1524 (a) The Wireless 911 Board is established to administer,
 1525 with oversight by the department ~~office~~, the fee imposed under
 1526 subsection (8), including receiving revenues derived from the
 1527 fee; distributing portions of such revenues to providers,
 1528 counties, and the department ~~office~~; accounting for receipts,
 1529 distributions, and income derived by the funds maintained in the
 1530 fund; and providing annual reports to the Governor and the
 1531 Legislature for submission by the department ~~office~~ on amounts
 1532 collected and expended, the purposes for which expenditures have
 1533 been made, and the status of wireless E911 service in this
 1534 state. In order to advise and assist the department ~~office~~ in
 1535 carrying out the purposes of this section, the board, which
 1536 shall have the power of a body corporate, shall have the powers
 1537 enumerated in subsection (6).

1538 (6) AUTHORITY OF THE BOARD; ANNUAL REPORT.--

1539 (c) By February 28 of each year, the board shall prepare a
 1540 report for submission by the department ~~office~~ to the Governor,
 1541 the President of the Senate, and the Speaker of the House of
 1542 Representatives which reflects, for the immediately preceding
 1543 calendar year, the quarterly and annual receipts and
 1544 disbursements of moneys in the fund, the purposes for which
 1545 disbursements of moneys from the fund have been made, and the

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1546 availability and status of implementation of E911 service in
1547 this state.

1548 (d) By February 28, 2001, the board shall undertake and
1549 complete a study for submission by the department ~~office~~ to the
1550 Governor, the President of the Senate, and the Speaker of the
1551 House of Representatives which addresses:

1552 1. The total amount of E911 fee revenues collected by each
1553 provider, the total amount of expenses incurred by each provider
1554 to comply with the order, and the amount of moneys on deposit in
1555 the fund, all as of December 1, 2000.

1556 2. Whether the amount of the E911 fee and the allocation
1557 percentages set forth in s. 365.173 should be adjusted to comply
1558 with the requirements of the order, and, if so, a recommended
1559 adjustment to the E911 fee.

1560 3. Any other issues related to providing wireless E911
1561 services.

1562 Section 29. This act shall take effect July 1, 2005.