

1                                   A bill to be entitled  
2           An act relating to state information  
3           technology; creating s. 14.204, F.S.; creating  
4           the Agency for Enterprise Information  
5           Technology within the Executive Office of the  
6           Governor; providing for the Governor and  
7           Cabinet to be the head of the agency; requiring  
8           that the agency be a separate budget entity  
9           that is not subject to the control of the  
10          Executive Office of the Governor; providing for  
11          an executive director of the agency to be  
12          subject to confirmation by the Senate;  
13          providing for the executive director to be the  
14          chief information officer of the state and the  
15          executive sponsor for all enterprise  
16          information technology projects; specifying the  
17          duties and responsibilities of the agency,  
18          which include defining architecture standards  
19          for information technology and developing a  
20          strategic enterprise information technology  
21          plan; requiring each state agency and the  
22          Agency Chief Information Officers Council to  
23          participate in the activities of the Agency for  
24          Enterprise Information Technology; amending s.  
25          20.22, F.S.; removing the State Technology  
26          Office within the Department of Management  
27          Services; providing for a Technology Program  
28          within the department; amending s. 216.0446,  
29          F.S.; revising the duties of the Technology  
30          Review Workgroup within the Legislature to  
31          conform to the transfer of duties concerning

1 the management of information technology for  
2 state agencies; amending s. 282.0041, F.S.;  
3 revising and providing definitions; creating s.  
4 282.0055, F.S.; providing for the Agency for  
5 Enterprise Information Technology to oversee  
6 information technology services that are common  
7 to all executive branch agencies and for agency  
8 information technology services to be  
9 responsible for information technology within  
10 an individual state agency; creating s.  
11 282.0056, F.S.; requiring the Agency for  
12 Enterprise Information Technology to develop a  
13 work plan; requiring that the work plan be  
14 approved by the Governor and Cabinet and  
15 submitted to the Legislature; requiring that  
16 certain specified policies be included in the  
17 initial work plan; requiring that the agency  
18 develop policy recommendations and strategies  
19 for consolidating computer rooms and data  
20 centers; requiring each state agency to provide  
21 assistance in the development of the work plan  
22 upon request; amending s. 282.20, F.S.;  
23 transferring management of the Technology  
24 Resource Center from the State Technology  
25 Office to the Department of Management  
26 Services; revising the duties of the center to  
27 conform to changes made by the act; requiring  
28 that the center submit its service rates and  
29 cost-allocation plan to the Agency for  
30 Enterprise Information Technology for review;  
31 amending s. 282.3055, F.S.; revising the duties

1 of the agency chief information officers;  
2 amending s. 282.315, F.S.; revising the duties  
3 of the Agency Chief Information Officers  
4 Council; requiring that the council assist the  
5 Agency for Enterprise Information Technology in  
6 developing strategies for information  
7 technology services and projects and make  
8 policy recommendations; revising the membership  
9 of the council; providing for the appointment  
10 of a chair, vice chair, and secretary; amending  
11 s. 282.318, F.S.; providing duties of the  
12 Agency for Enterprise Information Technology  
13 with respect to the security of data and  
14 information technology resources; requiring  
15 state agencies to conduct a comprehensive risk  
16 analysis at specified intervals, develop and  
17 update internal policies and procedures, and  
18 ensure compliance with certain security  
19 requirements; requiring the Agency for  
20 Enterprise Information Technology to designate  
21 a chief information security officer, develop  
22 standards for risk analyses and security  
23 audits, and provide training for agency  
24 information security managers; providing  
25 rulemaking authority; deleting provisions  
26 specifying duties of the Department of  
27 Management Services to conform to changes made  
28 by the act; amending s. 282.322, F.S.;  
29 requiring that the Agency for Enterprise  
30 Information Technology perform contract  
31 monitoring duties formerly performed by the

1 Enterprise Project Management Office of the  
2 State Technology Office; amending s. 216.023,  
3 F.S.; requiring that certain legislative budget  
4 requests include the statutory reference to the  
5 policy requiring a new information technology  
6 project; amending s. 943.0313, F.S., relating  
7 to the Domestic Security Oversight Council;  
8 conforming terminology to changes made by the  
9 act; providing for the transfer of specified  
10 duties from the State Technology Office to the  
11 Department of Management Services; repealing  
12 ss. 186.022, 282.005, 282.101, 282.23,  
13 282.3031, 282.3032, 282.3063, 282.310, and  
14 287.057(24), F.S., relating to information  
15 technology strategic plans, duties of the State  
16 Technology Office, the State Strategic  
17 Information Technology Alliance, information  
18 resources management responsibilities, guiding  
19 principles, the Agency Annual Enterprise  
20 Resource Planning and Management Report, the  
21 State Annual Report on Enterprise Resource  
22 Planning and Management, and state strategic  
23 information technology alliances; amending ss.  
24 215.95, 215.96, 282.102, 282.103, 282.107,  
25 339.155, 381.90, 403.973, 408.05, 420.0003,  
26 420.511, and 943.08, F.S., relating to the  
27 Financial Management Information Board and its  
28 coordination council, the State Technology  
29 Office, the SUNCOM Network, transportation  
30 planning, the Health Information Systems  
31 Council, expedited permitting, the Florida

1 Center for Health Information and Policy  
2 Analysis, the state housing strategy and the  
3 Florida Housing Finance Corporation, the  
4 Criminal and Juvenile Justice Information  
5 System Council, and the public broadcasting  
6 program system; conforming cross-references and  
7 other references to provisions repealed by the  
8 act; providing appropriations and authorizing  
9 additional positions; providing an effective  
10 date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Section 14.204, Florida Statutes, is  
15 created to read:

16 14.204 Agency for Enterprise Information  
17 Technology.--The Agency for Enterprise Information Technology  
18 is created within the Executive Office of the Governor. The  
19 head of the agency shall be the Governor and Cabinet, which  
20 shall take action by majority vote consisting of at least  
21 three affirmative votes with the Governor on the prevailing  
22 side. The agency shall be a separate budget entity that is not  
23 subject to control, supervision, or direction by the Executive  
24 Office of the Governor in any manner, including, but not  
25 limited to, purchasing, transactions involving real or  
26 personal property, personnel, or budgetary matters.

27 (1) The executive director of the agency shall be  
28 appointed by the Governor and Cabinet, is subject to  
29 confirmation by the Senate, and shall serve at the pleasure of  
30 the Governor and Cabinet. The executive director shall be the  
31 chief information officer of the state and the executive

1 sponsor for all enterprise information technology projects.  
2 The executive director must have a degree from an accredited  
3 postsecondary institution, and at least 7 years of  
4 executive-level experience in managing information technology  
5 organizations.

6 (2) The agency shall have the following duties and  
7 responsibilities:

8 (a) Develop and implement strategies for the design,  
9 delivery, and management of the enterprise information  
10 technology services established in law.

11 (b) Monitor the delivery and management of the  
12 enterprise information technology services as established in  
13 law.

14 (c) Make recommendations to the agency head and the  
15 Legislature concerning other information technology services  
16 that should be designed, delivered, and managed at the  
17 enterprise level as defined in s. 282.0041(8).

18 (d) Plan and establish policies for managing proposed  
19 statutorily authorized enterprise information technology  
20 services, which includes developing business cases that, when  
21 applicable, include the components identified in s. 287.0574;  
22 establishing and coordinating project-management teams;  
23 establishing formal risk-assessment and mitigation processes;  
24 and providing for independent monitoring of projects for  
25 recommended corrective actions.

26 (e) Not earlier than July 1, 2008, define the  
27 architecture standards for enterprise information technology  
28 and develop implementation approaches for statewide migration  
29 to those standards.

30 (f) Develop and publish a strategic enterprise  
31 information technology plan that identifies and recommends

1 strategies for how enterprise information technology will  
2 deliver effective and efficient government services to state  
3 residents and improve the operations of state agencies.

4 (3) The agency shall operate in such a manner as to  
5 ensure participation and representation of state agencies and  
6 the Agency Chief Information Officers Council established in  
7 s. 282.315.

8 Section 2. Section 20.22, Florida Statutes, is amended  
9 to read:

10 20.22 Department of Management Services.--There is  
11 created a Department of Management Services.

12 (1) The head of the Department of Management Services  
13 is the Secretary of Management Services, who shall be  
14 appointed by the Governor, subject to confirmation by the  
15 Senate, and shall serve at the pleasure of the Governor.

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

- 18 (a) Facilities Program.
- 19 (b) Technology Program ~~State Technology Office.~~
- 20 (c) Workforce Program.
- 21 (d)1. Support Program.
- 22 2. Federal Property Assistance Program.
- 23 (e) Administration Program.
- 24 (f) Division of Administrative Hearings.
- 25 (g) Division of Retirement.
- 26 (h) Division of State Group Insurance.

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

29 ~~(3)(4)~~ The duties of the Chief Labor Negotiator shall  
30 be determined by the Secretary of Management Services, and  
31 must include, but need not be limited to, the representation

1 of the Governor as the public employer in collective  
2 bargaining negotiations pursuant to the provisions of chapter  
3 447.

4 Section 3. Section 216.0446, Florida Statutes, is  
5 amended to read:

6 216.0446 Review of information technology resources  
7 ~~management~~ needs.--

8 (1) There is created within the Legislature the  
9 Technology Review Workgroup. The workgroup ~~and the State~~  
10 ~~Technology Office~~ shall ~~independently~~ review and make  
11 recommendations with respect to the portion of agencies'  
12 long-range program plans which pertains to information  
13 technology resources ~~management~~ needs and with respect to  
14 agencies' legislative budget requests for information  
15 technology and related resources. The Technology Review  
16 Workgroup shall report such recommendations, together with the  
17 findings and conclusions on which such recommendations are  
18 based, to the Legislative Budget Commission. ~~The State~~  
19 ~~Technology Office shall report such recommendations, together~~  
20 ~~with the findings and conclusions on which such~~  
21 ~~recommendations are based, to the Executive Office of the~~  
22 ~~Governor and to the chairs of the legislative appropriations~~  
23 ~~committees.~~

24 (2) In addition to its primary duty specified in  
25 subsection (1), the Technology Review Workgroup shall have  
26 powers and duties that include, but are not limited to, the  
27 following:

28 (a) To evaluate the information technology ~~resource~~  
29 ~~management~~ needs identified in the agency long-range program  
30 plans ~~for consistency with the State Annual Report on~~  
31 ~~Enterprise Resource Planning and Management and statewide~~



1 ~~policies recommended by the State Technology Office,~~ and make  
2 recommendations to the Legislative Budget Commission.

3 (b) To review and make recommendations to the  
4 Legislative Budget Commission on proposed budget amendments  
5 and agency transfers associated with information technology  
6 initiatives or projects that involve more than one agency,  
7 that have an outcome that impacts another agency, that exceed  
8 \$500,000 in total cost over a 1-year period, or that are  
9 requested by the Legislative Budget Commission to be reviewed.

10 Section 4. Section 282.0041, Florida Statutes, is  
11 amended to read:

12 282.0041 Definitions.--For the purposes of this part,  
13 the term:

14 (1) "Agency" means those entities described in s.  
15 216.011(1)(qq).

16 ~~(2) "Agency Annual Enterprise Resource Planning and~~  
17 ~~Management Report" means the report prepared by each Agency~~  
18 ~~Chief Information Officer as required by s. 282.3063.~~

19 ~~(2)(3)~~ "Agency Chief Information Officer" means the  
20 person appointed by the agency head State Technology Office to  
21 coordinate and manage the information technology functions  
22 policies and responsibilities activities applicable to that  
23 agency and to participate and represent his or her agency in  
24 developing strategies for implementing enterprise information  
25 technology services identified in law and developing  
26 recommendations for enterprise information technology policy.

27 ~~(3)(4)~~ "Agency Chief Information Officers Council"  
28 means the council created in s. 282.315 ~~to facilitate the~~  
29 ~~sharing and coordination of information technology issues and~~  
30 ~~initiatives among the agencies.~~

31

1           (4) "Agency for Enterprise Information Technology"  
2 means the agency created in s. 14.204.

3           (5) "Agency information technology service" means a  
4 service that directly helps the agency fulfill its statutory  
5 or constitutional responsibilities and policy objectives and  
6 is usually associated with the agency's primary or core  
7 business functions.

8           (6) "Customer relationship management" or "CRM" means  
9 the business processes, software, and Internet capabilities  
10 that can help state agencies manage customer relationships of  
11 the organization at the enterprise level.

12           (7) "Enterprise level" means all executive branch  
13 agencies created or authorized in statute to perform  
14 legislatively delegated functions.

15           (8) "Enterprise information technology service" means  
16 an information technology service that is used in all agencies  
17 or a subset of agencies and is established in law to be  
18 designed, delivered, and managed at the enterprise level.

19           (9) "E-mail, messaging, and calendaring service" means  
20 the enterprise information technology service that enables  
21 users to send, receive, file, store, manage, and retrieve  
22 electronic messages, attachments, appointments, and addresses.

23           ~~(5) "Enterprise resources management infrastructure"~~  
24 ~~means the hardware, software, networks, data, human resources,~~  
25 ~~policies, standards, facilities, maintenance, and related~~  
26 ~~materials and services that are required to support the~~  
27 ~~business processes of an agency or state enterprise.~~

28           ~~(6) "Enterprise resource planning and management"~~  
29 ~~means the planning, budgeting, acquiring, developing,~~  
30 ~~organizing, directing, training, control, and related services~~  
31 ~~associated with government information technology. The term~~

1 ~~encompasses information and related resources, as well as the~~  
2 ~~controls associated with their acquisition, development,~~  
3 ~~dissemination, and use.~~

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

13 ~~(11)~~ "Information technology policy" means statements  
14 that describe clear choices for how information technology  
15 will deliver effective and efficient government services to  
16 residents and improve state agency operations. Such a policy  
17 may relate to investments, business applications,  
18 architecture, or infrastructure. A policy describes its  
19 rationale, implications of compliance or noncompliance, the  
20 timeline for implementation, metrics for determining  
21 compliance, and the accountable structure responsible for its  
22 implementation.

23 ~~(12)(8)~~ "Project" means an endeavor that has a defined  
24 start and end point; is undertaken to create or modify a  
25 unique product, service, or result; and has specific  
26 objectives that, when attained, signify completion ~~undertaking~~  
27 ~~directed at the accomplishment of a strategic objective~~  
28 ~~relating to enterprise resources management or a specific~~  
29 ~~appropriated program.~~

30  
31

1           ~~(9)~~ "State Annual Report on Enterprise Resource  
2 Planning and Management" means the report prepared by the  
3 State Technology Office as defined in s. 282.102.

4           ~~(13)~~~~(10)~~ "Standards" means the use of current, open,  
5 nonproprietary, or non-vendor-specific technologies.

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

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

17           Section 5. Section 282.0055, Florida Statutes, is  
18 created to read:

19           282.0055 Assignment of information technology.--In  
20 order to ensure the most effective and efficient use of the  
21 state's information technology and information technology  
22 resources and notwithstanding other provisions of law to the  
23 contrary, policies for the design, planning, project  
24 management, and implementation of the enterprise information  
25 technology services defined in s. 282.0041(8) shall be the  
26 responsibility of the Agency for Enterprise Information  
27 Technology for executive branch agencies created or authorized  
28 in statute to perform legislatively delegated functions. The  
29 design, delivery, and management of the agency information  
30 technology services defined in s. 282.0041(5) shall be the  
31 responsibility of the individual state agency.

1           Section 6. Section 282.0056, Florida Statutes, is  
2 created to read:

3           282.0056 Development of work plan; development of  
4 implementation plans; and policy recommendations.--

5           (1) For purposes of carrying out its responsibilities  
6 set forth in s. 282.0055, the Agency for Enterprise  
7 Information Technology shall develop a work plan describing  
8 the activities that the agency intends to undertake and the  
9 proposed outcomes. The work plan must be approved by the  
10 Governor and Cabinet and submitted to the President of the  
11 Senate and the Speaker of the House of Representatives. The  
12 work plan may be amended as needed to ensure that the  
13 enterprise information technology services will be provided in  
14 an efficient, effective, and accountable manner. For the  
15 2007-2008 fiscal year, the agency's work plan shall include  
16 the development of recommended enterprise information  
17 technology policies, as defined in s. 282.0041(11).

18           (2) For the fiscal year beginning in 2008-2009, the  
19 agency shall develop implementation plans for up to three of  
20 the following proposed enterprise information technology  
21 services to be established in law:

22           (a) Consolidation of the deployment, management, and  
23 operation of state-owned or state-operated computer rooms and  
24 data centers.

25           (b) A shared or consolidated enterprise information  
26 technology service delivery and support model for the e-mail,  
27 messaging, and calendaring service defined in s. 282.0041(9).

28           (c) Information security.

29           (d) A shared customer relationship management system  
30 that consolidates agency requirements for receiving, managing,  
31

1 responding to, tracking, and reporting on telephone, e-mail,  
2 personnel, and other communications received from citizens.

3 (e) Consideration of a planned replacement cycle for  
4 computer equipment.

5 (3) In developing policy recommendations and  
6 implementation plans for established and proposed enterprise  
7 information technology services, the agency shall describe the  
8 scope of operation, conduct costs and requirements analyses,  
9 conduct an inventory of all existing information technology  
10 resources that are associated with each service, and develop  
11 strategies and timeframes for statewide migration. For  
12 purposes of consolidating state-owned or state-operated  
13 computer rooms and data centers, the Agency for Enterprise  
14 Information Technology shall develop a migration plan prior to  
15 initiating any consolidation effort.

16 (4) For the purpose of completing its work activities,  
17 each state agency shall provide to the Agency for Enterprise  
18 Information Technology all requested information, including,  
19 but not limited to, the agency's costs, service requirements,  
20 and equipment inventories.

21 Section 7. Section 282.20, Florida Statutes, is  
22 amended to read:

23 282.20 Technology Resource Center.--

24 (1)(a) The Department of Management Services State  
25 ~~Technology Office~~ shall operate and manage the Technology  
26 Resource Center.

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

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

31

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

4           (2) The Technology Resource Center shall:

5           (a) Serve ~~the office and other~~ customers as an  
6 information-system utility.

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

10          ~~(c) Cooperate with the Florida Legal Resource Center~~  
11 ~~of the Department of Legal Affairs and other state agencies to~~  
12 ~~develop and provide access to repositories of legal~~  
13 ~~information throughout the state.~~

14          ~~(c)(d)~~ Cooperate with the Agency for Enterprise  
15 Information Technology ~~office~~ to identify and facilitate  
16 interdepartmental networking and integration of network  
17 services for its customers.

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

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

24          (4) The Technology Resource Center may plan, design,  
25 establish pilot projects for, and conduct experiments with  
26 information technology resources, and may implement  
27 enhancements in services when such implementation is  
28 cost-effective. Funding for experiments and pilot projects  
29 shall be derived from service revenues and may not exceed 5  
30 percent of the service revenues for the Technology Resource  
31 Center for any single fiscal year. Any experiment, pilot

1 project, plan, or design must be approved by the Agency for  
 2 Enterprise Information Technology Chief Information Officer.

3 (5) Beginning in the 2007-2008 fiscal year and  
 4 annually thereafter, the Technology Resource Center shall  
 5 submit to the Agency for Enterprise Information Technology for  
 6 its review a copy of its current and proposed services and  
 7 service rates and cost-allocation plan. When appropriate, the  
 8 Agency for Enterprise Information Technology shall request  
 9 review and comment from the customers and Agency Chief  
 10 Information Officers Council concerning the center's current  
 11 and proposed rate and services structure.

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

22 Section 8. Section 282.3055, Florida Statutes, is  
 23 amended to read:

24 282.3055 Agency chief information officer;  
 25 appointment; duties.--

26 (1)(a) Each agency head shall ~~To assist the State~~  
 27 ~~Technology Officer in carrying out the enterprise resource~~  
 28 ~~planning and management responsibilities, the Chief~~  
 29 ~~Information Officer may~~ appoint or contract for an agency  
 30 chief information officer. ~~This position may be full time or~~  
 31 ~~part time.~~



1 (b) The agency chief information officer must, at a  
2 minimum, have knowledge and experience in both management and  
3 information technology resources.

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

6 (a) Coordinating and facilitating the agency  
7 ~~enterprise resource~~ planning and management of agency  
8 information technology services projects and initiatives.

9 ~~(b) Preparing an agency annual report on enterprise~~  
10 ~~resource planning and management pursuant to s. 282.3063.~~

11 ~~(b)(c)~~ Developing and Implementing agency information  
12 technology ~~enterprise resource~~ planning and management  
13 ~~policies,~~ procedures, guidelines, and standards that are  
14 consistent with the procedures and standards adopted by the  
15 Agency for Enterprise Information Technology, ~~including~~  
16 ~~specific policies and procedures for review and approval of~~  
17 ~~the agency's purchases of information technology resources in~~  
18 ~~accordance with the office's policies and procedures.~~

19 ~~(c)(d)~~ Advising agency senior management as to the  
20 information technology ~~enterprise~~ resource planning and  
21 management needs of the agency ~~for inclusion in planning~~  
22 ~~documents required by law.~~

23 ~~(d)(e)~~ Assisting in the development and prioritization  
24 of the information technology ~~enterprise~~ resource needs for  
25 ~~planning and management schedule of the agency's legislative~~  
26 budget request.

27 (e) Assisting the Agency for Enterprise Information  
28 Technology in the development of strategies for implementing  
29 the enterprise information technology services established in  
30 law and developing recommendations for enterprise information  
31 technology policy.

1           Section 9. Section 282.315, Florida Statutes, is  
2 amended to read:

3           282.315 Agency Chief Information Officers Council;  
4 creation.--The Legislature finds that enhancing communication,  
5 consensus building, coordination, and facilitation with  
6 respect to issues concerning ~~of statewide~~ enterprise  
7 information technology resources are resource planning and  
8 ~~management issues is~~ essential to improving the state  
9 management of such resources.

10           (1) There is created an Agency Chief Information  
11 Officers Council to:

12           (a) Enhance communication and collaboration among the  
13 Agency Chief Information Officers and the Agency for  
14 Enterprise Information Technology ~~by sharing enterprise~~  
15 ~~resource planning and management experiences and exchanging~~  
16 ~~ideas.~~

17           (b) Identify and recommend ~~Facilitate the sharing of~~  
18 best practices that are characteristic of highly successful  
19 technology organizations, as well as exemplary information  
20 technology applications for use by ~~of~~ state agencies, and  
21 assist the Agency for Enterprise Information Technology in  
22 developing strategies for implementing the enterprise  
23 information technology services established in law and  
24 developing recommendations for enterprise information  
25 technology policy.

26           (c) Identify efficiency opportunities among state  
27 agencies and make recommendations for action to the Agency for  
28 Enterprise Information Technology.

29           ~~(d) Serve as an educational forum for enterprise~~  
30 ~~resource planning and management issues.~~

31

1           (d)(e) Assist the Agency for Enterprise Information  
 2 Technology State Technology Office in identifying critical  
 3 enterprise information technology statewide issues and, when  
 4 appropriate, make recommendations for solving enterprise  
 5 resource planning and management deficiencies.

6           (2) Members of the council shall include the Agency  
 7 Chief Information Officers, including the Chief Information  
 8 Officers of the agencies and governmental entities ~~enumerated~~  
 9 ~~in s. 282.3031~~, except that there shall be one Chief  
 10 Information Officer selected by the state attorneys and one  
 11 Chief Information Officer selected by the public defenders.  
 12 The council shall appoint a chair, vice chair, and secretary  
 13 from among its members to a 1-year term each. The council  
 14 shall establish procedures governing council business. The  
 15 ~~chairs, or their designees, of the Florida Financial~~  
 16 ~~Management Information System Coordinating Council, the~~  
 17 ~~Criminal and Juvenile Justice Information Systems Council, and~~  
 18 ~~the Health Information Systems Council shall represent their~~  
 19 ~~respective organizations on the Chief Information Officers~~  
 20 ~~Council as voting members.~~

21           (3) The Agency for Enterprise Information Technology  
 22 State Technology Office shall provide administrative support  
 23 to the council.

24           Section 10. Section 282.318, Florida Statutes, is  
 25 amended to read:

26           282.318 Security of data and information technology  
 27 resources.--

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

30           (2)(a) The Agency for Enterprise Information  
 31 Technology State Technology Office, in consultation with each

1 agency head, is responsible ~~and accountable~~ for assessing and  
2 recommending minimum operating procedures for ensuring  
3 ~~assuring~~ an adequate level of security for all data and  
4 information technology resources for executive branch agencies  
5 created or authorized in statute to perform legislatively  
6 delegated functions. To assist the agency in carrying out this  
7 responsibility, of each agency head and, to carry out this  
8 ~~responsibility,~~ shall, at a minimum:

9       1. Designate an information security manager who shall  
10 administer the security program of the each agency for its  
11 data and information technology resources.

12       2. Conduct, and ~~periodically~~ update every 3 years, a  
13 comprehensive risk analysis to determine the security threats  
14 to the data, information, and information technology resources  
15 of the each agency. The risk analysis information is  
16 confidential and exempt from the provisions of s. 119.07(1),  
17 except that such information shall be available to the Auditor  
18 General and the Agency for Enterprise Information Technology  
19 in performing ~~his or her~~ postauditing duties.

20       3. Develop, and periodically update, written internal  
21 policies and procedures, which shall include procedures for  
22 notifying the Agency for Enterprise Information Technology  
23 when an information security incident occurs or data is  
24 compromised. Such policies and procedures must be consistent  
25 with the standard operating procedures adopted by the Agency  
26 for Enterprise Information Technology in order to ensure to  
27 ~~assure~~ the security of the data, information, and information  
28 technology resources of the each agency. The internal policies  
29 and procedures that which, if disclosed, could facilitate the  
30 unauthorized modification, disclosure, or destruction of data  
31 or information technology resources are confidential

1 information and exempt from the provisions of s. 119.07(1),  
2 except that such information shall be available to the Auditor  
3 General and the Agency for Enterprise Information Technology  
4 in performing ~~his or her~~ postauditing duties.

5 4. Implement appropriate cost-effective safeguards to  
6 reduce, eliminate, or recover from the identified risks to the  
7 data, information, and information technology resources of the  
8 ~~each~~ agency.

9 5. Ensure that periodic internal audits and  
10 evaluations of the agency's each security program for the  
11 data, information, and information technology resources of the  
12 agency are conducted. The results of such internal audits and  
13 evaluations are confidential information and exempt from the  
14 provisions of s. 119.07(1), except that such information shall  
15 be available to the Auditor General and the Agency for  
16 Enterprise Information Technology in performing ~~his or her~~  
17 postauditing duties.

18 6. Include appropriate security requirements, ~~as~~  
19 ~~determined by the State Technology Office, in consultation~~  
20 ~~with each agency head,~~ in the written specifications for the  
21 solicitation of information technology and information  
22 technology resources which are consistent with the standard  
23 security operating procedures adopted by the Agency for  
24 Enterprise Information Technology.

25 (b) In those instances under this subsection in which  
26 the state agency or department ~~State Technology Office~~  
27 develops state contracts ~~for use by state agencies~~, the state  
28 agency or department ~~office~~ shall include appropriate security  
29 requirements in the specifications for the solicitation for  
30 state contracts for procuring information technology or  
31 information technology resources.

1       (3) The Agency for Enterprise Information Technology  
2 shall designate a chief information security officer.

3       (4) The Agency for Enterprise Information Technology  
4 shall develop standards and templates for conducting  
5 comprehensive risk analyses and information security audits by  
6 state agencies, assist agencies in their compliance with the  
7 provisions of this section, pursue appropriate funding  
8 provided for the purpose of enhancing domestic security,  
9 establish minimum guidelines and procedures for the recovery  
10 of information technology following a disaster, and provide  
11 training for agency information security managers. Standards,  
12 templates, guidelines, and procedures shall be published  
13 annually, no later than September 30 each year, to enable  
14 agencies to incorporate them in their planning for the  
15 following fiscal year.

16       (5) The Agency for Enterprise Information Technology  
17 may adopt rules pursuant to ss. 120.536(1) and 120.54 relating  
18 to information security and to administer the provisions of  
19 this section.

20       ~~(3) Notwithstanding subsection (2), the Department of~~  
21 ~~Management Services, hereafter referred to as the~~  
22 ~~"department," in consultation with each agency head, is~~  
23 ~~responsible for coordinating, assessing, and recommending~~  
24 ~~minimum operating procedures for ensuring an adequate level of~~  
25 ~~security for data and information technology resources. To~~  
26 ~~assist the department in carrying out this responsibility,~~  
27 ~~each agency shall, at a minimum:~~

28       ~~(a) Designate an information security manager who~~  
29 ~~shall administer the security program of the agency for its~~  
30 ~~data and information technology resources.~~

31

1           ~~(b) Conduct, and update every 3 years, a comprehensive~~  
2 ~~risk analysis to determine the security threats to the data,~~  
3 ~~information, and information technology resources of the~~  
4 ~~agency. The risk analysis information made confidential and~~  
5 ~~exempt under subparagraph (2)(a)2. shall be available to the~~  
6 ~~Auditor General in performing his or her postauditing duties.~~

7           ~~(c) Develop, and periodically update, written internal~~  
8 ~~policies and procedures that are consistent with the standard~~  
9 ~~operating procedures recommended by the department to ensure~~  
10 ~~the security of the data and information technology resources~~  
11 ~~of the agency. The internal policies and procedures that, if~~  
12 ~~disclosed, could facilitate the unauthorized modification,~~  
13 ~~disclosure, or destruction of data or information technology~~  
14 ~~resources made confidential and exempt under subparagraph~~  
15 ~~(2)(a)3. shall be available to the Auditor General in~~  
16 ~~performing his or her postauditing duties.~~

17           ~~(d) Implement appropriate cost effective safeguards to~~  
18 ~~reduce, eliminate, or recover from the identified risks to the~~  
19 ~~data and information technology resources of the agency.~~

20           ~~(e) Ensure that periodic internal audits and~~  
21 ~~evaluations of the security program for the data, information,~~  
22 ~~and information technology resources of the agency are~~  
23 ~~conducted. The results of such internal audits and evaluations~~  
24 ~~made confidential and exempt under subparagraph (2)(a)5. shall~~  
25 ~~be available to the Auditor General in performing his or her~~  
26 ~~postauditing duties.~~

27           ~~(f) Include appropriate security requirements in the~~  
28 ~~written specifications for the solicitation of information~~  
29 ~~technology resources that are consistent with the standard~~  
30 ~~security operating procedures as recommended by the~~  
31 ~~department.~~

1           ~~(g) This subsection expires July 1, 2007.~~

2  
3           ~~In those instances under this subsection in which the~~  
4           ~~department develops state contracts for use by state agencies,~~  
5           ~~the department shall include appropriate security requirements~~  
6           ~~in the specifications for the solicitation for state contracts~~  
7           ~~for procuring information technology resources.~~

8           ~~(4) In order to ensure the security of data,~~  
9           ~~information, and information technology resources, the~~  
10           ~~department shall establish the Office of Information Security~~  
11           ~~and shall designate a Chief Information Security Officer as~~  
12           ~~the head of the office. The office shall coordinate its~~  
13           ~~activities with the Agency Chief Information Officers Council~~  
14           ~~as established in s. 282.315. The office is responsible for~~  
15           ~~developing a strategic plan for information technology~~  
16           ~~security which shall be submitted by March 1, 2007, to the~~  
17           ~~Executive Office of the Governor, the President of the Senate,~~  
18           ~~and the Speaker of the House of Representatives; developing~~  
19           ~~standards and templates for conducting comprehensive risk~~  
20           ~~analyses and information security audits by state agencies;~~  
21           ~~assisting agencies in their compliance with the provisions of~~  
22           ~~this section; establishing minimum standards for the recovery~~  
23           ~~of information technology following a disaster; and conducting~~  
24           ~~training for agency information security managers. This~~  
25           ~~subsection expires July 1, 2007.~~

26           Section 11. Subsection (2) of section 282.322, Florida  
27 Statutes, is amended to read:

28           282.322 Special monitoring process for designated  
29 information resources management projects.--

30           (2) The Agency for Enterprise Information Technology  
31 ~~Project Management Office of the State Technology Office~~ shall



1 report on any information technology project that the  
2 Legislature ~~projects the office~~ identifies as high-risk to the  
3 Executive Office of the Governor, the President of the Senate,  
4 the Speaker of the House of Representatives, and the chairs of  
5 the appropriations committees. Within the limits of current  
6 appropriations, the Agency for Enterprise Information  
7 Technology ~~Project Management Office~~ shall monitor and report  
8 on such high-risk information technology projects, and assess  
9 the levels of risks associated with proceeding to the next  
10 stage of the project.

11 Section 12. Paragraph (a) of subsection (4) of section  
12 216.023, Florida Statutes, is amended to read:

13 216.023 Legislative budget requests to be furnished to  
14 Legislature by agencies.--

15 (4)(a) The legislative budget request must contain for  
16 each program:

17 1. The constitutional or statutory authority for a  
18 program, a brief purpose statement, and approved program  
19 components.

20 2. Information on expenditures for 3 fiscal years  
21 (actual prior-year expenditures, current-year estimated  
22 expenditures, and agency budget requested expenditures for the  
23 next fiscal year) by appropriation category.

24 3. Details on trust funds and fees.

25 4. The total number of positions (authorized, fixed,  
26 and requested).

27 5. An issue narrative describing and justifying  
28 changes in amounts and positions requested for current and  
29 proposed programs for the next fiscal year.

30 6. Information resource requests.

31

1           7. Supporting information, including applicable  
2 cost-benefit analyses, business case analyses, performance  
3 contracting procedures, service comparisons, and impacts on  
4 performance standards for any request to outsource or  
5 privatize agency functions. The cost-benefit and business case  
6 analyses must include an assessment of the impact on each  
7 affected activity from those identified in accordance with  
8 paragraph (b). Performance standards must include standards  
9 for each affected activity and be expressed in terms of the  
10 associated unit of activity.

11           8. An evaluation of any major outsourcing and  
12 privatization initiatives undertaken during the last 5 fiscal  
13 years having aggregate expenditures exceeding \$10 million  
14 during the term of the contract. The evaluation shall include  
15 an assessment of contractor performance, a comparison of  
16 anticipated service levels to actual service levels, and a  
17 comparison of estimated savings to actual savings achieved.  
18 Consolidated reports issued by the Department of Management  
19 Services may be used to satisfy this requirement.

20           9. Supporting information for any proposed  
21 consolidated financing of deferred-payment commodity contracts  
22 including guaranteed energy performance savings contracts.  
23 Supporting information must also include narrative describing  
24 and justifying the need, baseline for current costs, estimated  
25 cost savings, projected equipment purchases, estimated  
26 contract costs, and return on investment calculation.

27           10. For projects that exceed \$10 million in total  
28 cost, the statutory reference of the existing policy or the  
29 proposed substantive policy that establishes and defines the  
30 project's governance structure, planned scope, main business  
31 objectives that must be achieved, and estimated completion

1 timeframes. Information technology budget requests for the  
2 continuance of existing hardware and software maintenance  
3 agreements, renewal of existing software licensing agreements,  
4 or the replacement of desktop units with new technology that  
5 is similar to the technology currently in use are exempt from  
6 this requirement.

7 Section 13. Paragraph (a) of subsection (1) of section  
8 943.0313, Florida Statutes, is amended to read:

9 943.0313 Domestic Security Oversight Council.--The  
10 Legislature finds that there exists a need to provide  
11 executive direction and leadership with respect to terrorism  
12 prevention, preparation, protection, response, and recovery  
13 efforts by state and local agencies in this state. In  
14 recognition of this need, the Domestic Security Oversight  
15 Council is hereby created. The council shall serve as an  
16 advisory council pursuant to s. 20.03(7) to provide guidance  
17 to the state's regional domestic security task forces and  
18 other domestic security working groups and to make  
19 recommendations to the Governor and the Legislature regarding  
20 the expenditure of funds and allocation of resources related  
21 to counter-terrorism and domestic security efforts.

22 (1) MEMBERSHIP.--

23 (a) The Domestic Security Oversight Council shall  
24 consist of the following voting members:

25 1. The executive director of the Department of Law  
26 Enforcement.

27 2. The director of the Division of Emergency  
28 Management within the Department of Community Affairs.

29 3. The Attorney General.

30 4. The Commissioner of Agriculture.

31 5. The Secretary of Health.

- 1           6. The Commissioner of Education.
- 2           7. The State Fire Marshal.
- 3           8. The adjutant general of the Florida National Guard.
- 4           9. The state chief information officer ~~of the State~~
- 5 ~~Technology Office within the Department of Management~~
- 6 ~~Services.~~
- 7           10. Each sheriff or chief of police who serves as a
- 8 co-chair of a regional domestic security task force pursuant
- 9 to s. 943.0312(1)(b).
- 10           11. Each of the department's special agents in charge
- 11 who serve as a co-chair of a regional domestic security task
- 12 force.
- 13           12. Two representatives of the Florida Fire Chiefs
- 14 Association.
- 15           13. One representative of the Florida Police Chiefs
- 16 Association.
- 17           14. One representative of the Florida Prosecuting
- 18 Attorneys Association.
- 19           15. The chair of the Statewide Domestic Security
- 20 Intelligence Committee.
- 21           16. One representative of the Florida Hospital
- 22 Association.
- 23           17. One representative of the Emergency Medical
- 24 Services Advisory Council.
- 25           18. One representative of the Florida Emergency
- 26 Preparedness Association.
- 27           19. One representative of the Florida Seaport
- 28 Transportation and Economic Development Council.
- 29           Section 14. Unless otherwise specified in this act,
- 30 the Department of Management Services, established in s.
- 31 20.22, Florida Statutes, shall assume the duties and

1 responsibilities of the State Technology Office as set forth  
 2 in ss. 215.322(2), 282.102, 282.103, 282.104, 282.105,  
 3 282.106, 282.107, 282.1095, 282.111, 282.21, 282.22, 288.1092,  
 4 288.1093, 365.171, 365.172, and 365.173, Florida Statutes.

5 Section 15. Sections 186.022, 282.005, 282.101,  
 6 282.23, 282.3031, 282.3032, 282.3063, and 282.310, Florida  
 7 Statutes, and subsection (24) of section 287.057, Florida  
 8 Statutes, are repealed.

9 Section 16. Paragraph (d) of subsection (2) of section  
 10 215.95, Florida Statutes, is amended to read:

11 215.95 Financial Management Information Board.--

12 (2) To carry out its duties and responsibilities, the  
 13 board shall by majority vote:

14 ~~(d) By March 1 of each year, approve a strategic plan~~  
 15 ~~pursuant to the requirements set forth in s. 186.022(9).~~

16 Section 17. Paragraph (a) of subsection (3) of section  
 17 215.96, Florida Statutes, is amended to read:

18 215.96 Coordinating council and design and  
 19 coordination staff.--

20 (3) The coordinating council, assisted by the design  
 21 and coordination staff, shall have the following duties,  
 22 powers, and responsibilities pertaining to the Florida  
 23 Financial Management Information System:

24 (a) To conduct such studies and to establish  
 25 committees, workgroups, and teams to develop recommendations  
 26 for rules, policies, procedures, principles, and standards to  
 27 the board as necessary to assist the board in its efforts to  
 28 design, implement, and perpetuate a financial management  
 29 information system, including, but not limited to, the  
 30 establishment of common data codes, and the development of  
 31 integrated financial management policies that address the

1 information and management needs of the functional owner  
2 subsystems, ~~and the development of a strategic plan pursuant~~  
3 ~~to the requirements set forth in s. 186.022.~~ The coordinating  
4 council shall make available a copy of the approved plan in  
5 writing or through electronic means to each of the  
6 coordinating council members, the fiscal committees of the  
7 Legislature, and any interested person.

8 Section 18. Section 282.102, Florida Statutes, is  
9 amended to read:

10 282.102 ~~Creation of the State Technology Office;~~  
11 Powers and duties.--~~There is created a State Technology Office~~  
12 ~~within the Department of Management Services. The office shall~~  
13 ~~be a separate budget entity, and shall be headed by a Chief~~  
14 ~~Information Officer who is appointed by the Governor and is in~~  
15 ~~the Senior Management Service. The Chief Information Officer~~  
16 ~~shall be an agency head for all purposes.~~ The Department of  
17 Management Services shall ~~provide administrative support and~~  
18 ~~service to the office to the extent requested by the Chief~~  
19 ~~Information Officer. The office may adopt policies and~~  
20 ~~procedures regarding personnel, procurement, and transactions~~  
21 ~~for State Technology Office personnel. The office shall have~~  
22 the following powers, duties, and functions:

23 (1) To publish electronically the portfolio of  
24 services available from the department ~~office~~, including  
25 pricing information; the policies and procedures of the state  
26 communications network ~~office~~ governing usage of available  
27 services; and a forecast of the priorities and initiatives for  
28 the state communications system for the ensuing 2 years.

29 (2) ~~To adopt rules implementing policies and~~  
30 ~~procedures providing best practices to be followed by agencies~~

31

1 ~~in acquiring, using, upgrading, modifying, replacing, or~~  
2 ~~disposing of information technology.~~

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

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

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

11 ~~(2)(6)~~ To adopt technical standards for the state  
12 communications network ~~information technology system~~ which  
13 will ensure ~~assure~~ the interconnection of computer networks  
14 and information systems of agencies.

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

19 ~~(3)(8)~~ To enter into agreements related to information  
20 technology with state agencies and political subdivisions of  
21 the state.

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

24 ~~(4)(10)~~ To purchase from or contract with information  
25 technology providers for information technology, including  
26 private line services.

27 ~~(5)(11)~~ To apply for, receive, and hold, ~~and to assist~~  
28 ~~agencies in applying for, receiving, or holding,~~ such  
29 authorizations, patents, copyrights, trademarks, service  
30 marks, licenses, and allocations or channels and frequencies  
31 to carry out the purposes of this part.

1        ~~(6)(12)~~ To purchase, lease, or otherwise acquire and  
2 to hold, sell, transfer, license, or otherwise dispose of  
3 real, personal, and intellectual property, including, but not  
4 limited to, patents, trademarks, copyrights, and service  
5 marks.

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

9        ~~(8)(14)~~ ~~To delegate, as necessary, to state agencies~~  
10 ~~the authority to purchase, lease, or otherwise acquire and to~~  
11 ~~use information technology or, as necessary,~~ To control and  
12 approve the purchase, lease, or acquisition and the use of ~~all~~  
13 ~~information technology, including, but not limited to,~~  
14 communications services provided as part of any other total  
15 system to be used by the state or any of its agencies.

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

24        ~~(9)(16)~~ To adopt rules pursuant to ss. 120.536(1) and  
25 120.54 relating to communications ~~information technology~~ and  
26 to administer the provisions of this part.

27        ~~(17)~~ ~~To provide a means whereby political subdivisions~~  
28 ~~of the state may use state information technology systems upon~~  
29 ~~such terms and under such conditions as the office may~~  
30 ~~establish.~~

31



1           ~~(10)(18)~~ To apply for and accept federal funds for any  
2 of the purposes of this part as well as gifts and donations  
3 from individuals, foundations, and private organizations.

4           ~~(11)(19)~~ To monitor issues relating to communications  
5 facilities and services before the Florida Public Service  
6 Commission and, when necessary, prepare position papers,  
7 prepare testimony, appear as a witness, and retain witnesses  
8 on behalf of state agencies in proceedings before the  
9 commission.

10           ~~(12)(20)~~ Unless delegated to the agencies by the  
11 department ~~Chief Information Officer~~, to manage and control,  
12 but not intercept or interpret, communications within the  
13 SUNCOM Network by:

14           (a) Establishing technical standards to physically  
15 interface with the SUNCOM Network.

16           (b) Specifying how communications are transmitted  
17 within the SUNCOM Network.

18           (c) Controlling the routing of communications within  
19 the SUNCOM Network.

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

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

25           ~~(13)(21)~~ To plan, design, and conduct experiments for  
26 communications ~~information technology~~ services, equipment, and  
27 technologies, and to implement enhancements in the state  
28 communications network ~~information technology system~~ when in  
29 the public interest and cost-effective. Funding for such  
30 experiments shall be derived from SUNCOM Network service  
31 revenues and shall not exceed 2 percent of the annual budget

1 for the SUNCOM Network for any fiscal year or as provided in  
2 the General Appropriations Act. New services offered as a  
3 result of this subsection shall not affect existing rates for  
4 facilities or services.

5 ~~(14)(22)~~ To enter into contracts or agreements, with  
6 or without competitive bidding or procurement, to make  
7 available, on a fair, reasonable, and nondiscriminatory basis,  
8 property and other structures under departmental ~~office~~  
9 control for the placement of new facilities by any wireless  
10 provider of mobile service as defined in 47 U.S.C. s. 153(n)  
11 or s. 332(d) and any telecommunications company as defined in  
12 s. 364.02 when it is determined to be practical and feasible  
13 to make such property or other structures available. The  
14 department ~~office~~ may, without adopting a rule, charge a just,  
15 reasonable, and nondiscriminatory fee for the placement of the  
16 facilities, payable annually, based on the fair market value  
17 of space used by comparable communications facilities in the  
18 state. The department ~~office~~ and a wireless provider or  
19 telecommunications company may negotiate the reduction or  
20 elimination of a fee in consideration of services provided to  
21 the department ~~office~~ by the wireless provider or  
22 telecommunications company. All such fees collected by the  
23 department ~~office~~ shall be deposited directly into the Law  
24 Enforcement Radio Operating Trust Fund, and may be used by the  
25 department ~~office~~ to construct, maintain, or support the  
26 system.

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

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

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

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

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

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

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

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

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

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

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

29 Section 19. Subsection (1) of section 282.103, Florida  
30 Statutes, is amended to read:  
31

1           282.103   SUNCOM Network; exemptions from the required  
2 use.--

3           (1)   There is created within the Department of  
4 Management Services State Technology Office the SUNCOM Network  
5 which shall be developed to serve as the state communications  
6 system for providing local and long-distance communications  
7 services to state agencies, political subdivisions of the  
8 state, municipalities, state universities, and nonprofit  
9 corporations pursuant to ss. 282.102-282.111 ~~ss.~~

10 ~~282.101-282.111~~. The SUNCOM Network shall be developed to  
11 transmit all types of communications signals, including, but  
12 not limited to, voice, data, video, image, and radio. State  
13 agencies shall cooperate and assist in the development and  
14 joint use of communications systems and services.

15           Section 20. Subsections (1) and (2) of section  
16 282.107, Florida Statutes, are amended to read:

17           282.107   SUNCOM Network; criteria for usage.--

18           (1)   The Department of Management Services State  
19 ~~Technology Office~~ shall periodically review the qualifications  
20 of subscribers using the state SUNCOM Network and shall  
21 terminate services provided to any facility not qualified  
22 pursuant to ss. 282.102-282.111 ~~ss. 282.101-282.111~~ or rules  
23 adopted hereunder. In the event of nonpayment of invoices by  
24 subscribers whose SUNCOM Network invoices are paid from  
25 sources other than legislative appropriations, such nonpayment  
26 represents good and sufficient reason to terminate service.

27           (2)   The Department of Management Services State  
28 ~~Technology Office~~ shall adopt rules for implementing and  
29 operating the state SUNCOM Network, which shall include  
30 ~~setting forth~~ its procedures for withdrawing and restoring  
31 authorization to use the state SUNCOM Network. Such rules

1 shall provide a minimum of 30 days' notice to affected parties  
2 prior to termination of voice communications service.

3 Section 21. Paragraph (b) of subsection (3) and  
4 subsection (4) of section 339.155, Florida Statutes, are  
5 amended to read:

6 339.155 Transportation planning.--

7 (3) ~~FORMAT, SCHEDULE, AND REVIEW.~~--The Florida  
8 Transportation Plan shall be a unified, concise planning  
9 document that clearly defines the state's long-range  
10 transportation goals and objectives and documents the  
11 department's short-range objectives developed to further such  
12 goals and objectives. The plan shall include a glossary that  
13 clearly and succinctly defines any and all phrases, words, or  
14 terms of art included in the plan, with which the general  
15 public may be unfamiliar and shall consist of, at a minimum,  
16 the following components:

17 (b) A short-range component documenting the short-term  
18 objectives and strategies necessary to implement the goals and  
19 long-term objectives contained in the long-range component.  
20 The short-range component must define the relationship between  
21 the long-range goals and the short-range objectives, specify  
22 those objectives against which the department's achievement of  
23 such goals will be measured, and identify transportation  
24 strategies necessary to efficiently achieve the goals and  
25 objectives in the plan. It must provide a policy framework  
26 within which the department's legislative budget request, the  
27 strategic information resource management plan, and the work  
28 program are developed. The short-range component shall serve  
29 as the department's annual agency strategic plan pursuant to  
30 s. 186.021. The short-range component shall be developed  
31 ~~consistent with the requirements of s. 186.022 and consistent~~

1 with available and forecasted state and federal funds. ~~In~~  
 2 ~~addition to those entities listed in s. 186.022,~~ The  
 3 short-range component shall also be submitted to the Florida  
 4 Transportation Commission.

5 (4) ANNUAL PERFORMANCE REPORT.--The department shall  
 6 develop an annual performance report evaluating the operation  
 7 of the department for the preceding fiscal year. The report,  
 8 ~~which shall meet the requirements of s. 186.022,~~ shall also  
 9 include a summary of the financial operations of the  
 10 department and shall annually evaluate how well the adopted  
 11 work program meets the short-term objectives contained in the  
 12 short-range component of the Florida Transportation Plan. ~~In~~  
 13 ~~addition to the entities listed in s. 186.022,~~ This  
 14 performance report shall ~~also~~ be submitted to the Florida  
 15 Transportation Commission and the legislative appropriations  
 16 and transportation committees.

17 Section 22. Subsection (7) of section 381.90, Florida  
 18 Statutes, is amended to read:

19 381.90 Health Information Systems Council; legislative  
 20 intent; creation, appointment, duties.--

21 (7) The council's duties and responsibilities include,  
 22 but are not limited to, the following:

23 ~~(a) By June 1 of each year, to develop and approve a~~  
 24 ~~strategic plan pursuant to the requirements set forth in s.~~  
 25 ~~186.022.~~

26 (a)(b) To develop a mission statement, goals, and plan  
 27 of action, ~~based on the guiding principles specified in s.~~  
 28 ~~282.3032,~~ for the identification, collection, standardization,  
 29 sharing, and coordination of health-related data across  
 30 federal, state, and local government and private-sector  
 31 entities.

1           (b)(e) To develop a review process to ensure  
2 cooperative planning among agencies that collect or maintain  
3 health-related data.

4           (c)(d) To create ad hoc issue-oriented technical  
5 workgroups, on an as-needed basis, to make recommendations to  
6 the council.

7           Section 23. Subsection (4) of section 403.973, Florida  
8 Statutes, is amended to read:

9           403.973 Expedited permitting; comprehensive plan  
10 amendments.--

11           ~~(4) The office may delegate to a Quick Permitting  
12 County designated under s. 288.1093 the responsibility for  
13 convening regional permit teams and, in consultation with the  
14 office, for certifying as eligible for expedited review  
15 projects that meet the criteria of subsection (3) and that are  
16 consistent with the economic goals of the county. In order to  
17 receive such a delegation, the Quick Permitting County must  
18 hold the public hearing required under subsection (7) and  
19 agree to execute a memorandum of agreement for each qualified  
20 project.~~

21           Section 24. Paragraph (h) of subsection (8) of section  
22 408.05, Florida Statutes, is amended to read:

23           408.05 Florida Center for Health Information and  
24 Policy Analysis.--

25           (8) STATE CONSUMER HEALTH INFORMATION AND POLICY  
26 ADVISORY COUNCIL.--

27           (h) The council's duties and responsibilities include,  
28 but are not limited to, the following:

29           1. To develop a mission statement, goals, and a plan  
30 of action ~~based on the guiding principles specified in s.~~  
31 ~~282.3032~~ for the identification, collection, standardization,

1 sharing, and coordination of health-related data across  
2 federal, state, and local government and private sector  
3 entities.

4         2. To develop a review process to ensure cooperative  
5 planning among agencies that collect or maintain  
6 health-related data.

7         3. To create ad hoc issue-oriented technical  
8 workgroups on an as-needed basis to make recommendations to  
9 the council.

10         Section 25. Paragraph (b) of subsection (4) of section  
11 420.0003, Florida Statutes, is amended to read:

12         420.0003 State housing strategy.--

13         (4) IMPLEMENTATION.--The Department of Community  
14 Affairs and the Florida Housing Finance Corporation in  
15 carrying out the strategy articulated herein shall have the  
16 following duties:

17         (b) The agency strategic plan of the Department of  
18 Community Affairs, ~~prepared pursuant to the provisions of ss.~~  
19 ~~186.021 and 186.022,~~ shall include specific goals, objectives,  
20 and strategies that implement the housing policies in this  
21 section and shall include the strategic plan for housing  
22 production prepared by the corporation pursuant to s. 420.511.

23         Section 26. Subsection (2) of section 420.511, Florida  
24 Statutes, is amended to read:

25         420.511 Business plan; strategic plan; annual  
26 report.--

27         (2) The corporation, in equal partnership with the  
28 department, shall develop annually a strategic plan for the  
29 provision of affordable housing in Florida as part of the  
30 department's agency strategic plan required pursuant to  
31 chapter 186. In part, the plan shall include provisions that



1 maximize the abilities of the corporation and the department  
2 to implement the state housing strategy established under s.  
3 420.0003, to respond to federal housing initiatives, and to  
4 develop programs in a manner that is more responsive to the  
5 needs of public and private partners. The plan shall be  
6 developed on a schedule consistent with that established by s.  
7 ~~ss.~~ 186.021 ~~and 186.022~~. For purposes of this act, the  
8 executive director or his or her designee shall serve as the  
9 corporation's representative to achieve a coordinated and  
10 integrated planning relationship with the department.

11 Section 27. Subsection (3) of section 943.08, Florida  
12 Statutes, is amended to read:

13 943.08 Duties; Criminal and Juvenile Justice  
14 Information Systems Council.--

15 (3) The council shall develop and approve a long-range  
16 program ~~strategic~~ plan pursuant to the requirements set forth  
17 in s. 186.021 ~~s. 186.022~~. Copies of the approved plan shall be  
18 transmitted, electronically or in writing, to the Executive  
19 Office of the Governor, the Speaker of the House of  
20 Representatives, the President of the Senate, and the council  
21 members.

22 Section 28. For the 2007-2008 fiscal year, the sum of  
23 \$1,100,160 in recurring funds is appropriated from the General  
24 Revenue Fund and 10 full-time equivalent positions with an  
25 associated salary rate of 732,000 are authorized to the Agency  
26 for Enterprise Information Technology to carry out the duties  
27 as provided in this act.

28 Section 29. For the 2007-2008 fiscal year, the sum of  
29 \$581,751 in recurring funds is appropriated from the General  
30 Revenue Fund and five full-time equivalent positions with an  
31 associated salary rate of 342,577 are authorized to the Agency

1 for Enterprise Information Technology to carry out the duties  
2 of information security as provided in this act.

3       Section 30. The unexpended balance of funds provided  
4 in Specific Appropriation 2243A of chapter 2006-25, Laws of  
5 Florida, shall revert July 1, 2007, and is appropriated for  
6 the 2007-2008 fiscal year for any efforts to consolidate data  
7 center operations at the Technology Resource Center which are  
8 cost-effective or for the purpose of offsetting any temporary  
9 revenue shortfalls of the Technology Resource Center during  
10 the transition to a full cost-recovery plan.

11       Section 31. For the 2007-2008 fiscal year, the sum of  
12 \$350,000 from nonrecurring funds is appropriated from the  
13 General Revenue Fund to the Agency for Enterprise Information  
14 Technology to contract for a feasibility study for a customer  
15 relationship management system that defines and establishes  
16 all state agency requirements for receiving, managing,  
17 responding to, tracking, and reporting on telephone, e-mail,  
18 personnel, and other communications received from the public.

19       Section 32. For the 2007-2008 fiscal year, the sum of  
20 \$300,000 from nonrecurring funds is appropriated from the  
21 General Revenue Fund to the Executive Office of the Governor  
22 to contract for services to develop a process to review and  
23 analyze nonenterprise agency information technology requests.

24       Section 33. This act shall take effect July 1, 2007.  
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