

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to directly implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Currently, most of Florida's state agency web sites are displayed in English. As of April 1, 2005, approximately 19 % of the state's total population is Hispanic.¹ No specific data exists which indicates what percentage of Hispanics speak or read only Spanish, or how many bilingual Hispanics if given the choice, would access state agency web sites displayed in Spanish. However, considering the sizeable portion of the state's population that they comprise, utilization and public access to state agency products, information and services available online could be expected to substantially increase by providing a Spanish version of government web sites.

Section 282.102, F.S., created the State Technology Office within the Department of Management Services. The statute created the office as a separate budget entity and provides that the office shall be headed by a Chief Information Officer appointed by the Governor. One of the duties of the office specified by this section is "[t]o provide an *integrated electronic system* for deploying government products, services, and information to individuals and businesses." (emphasis added)² "Integrated electronic system" is not defined in the section or elsewhere in statute but it has generally been understood by the Department of Management Service (DMS), the agency with the responsibility to implement that section, that the Internet web site MyFlorida.com is the implementation of that requirement.

MyFlorida.com is the main portal of access to all state agency and government web sites for the State of Florida. While MyFlorida.com is maintained and operated by the Department of Management Services, all other agency and governmental web sites accessible via MyFlorida.com are controlled and maintained individually by their respective agency or entity. In 2005, initial steps were taken toward translating state run web sites into Spanish starting with the MyFlorida.com portal pages. The portal web pages were initially translated into Spanish and a service was implemented to translate updated web pages as needed. However, the decision was made under Governor Bush's administration not to proceed with the rollout of the translated portal pages because the web pages for the individual state agencies themselves were not translated into Spanish. Users of translated portal pages would have started with a Spanish web page and then been quickly linked to an English web site as soon as he or she began to navigate from the portal to a specific agency web site. Navigating from the portal to an agency web site would have resulted in users going back and forth between Spanish and English web pages which was believed to result in a negative experience for Spanish speaking users. Since 2005, no further action has been taken to require individual agencies to display their web pages in both English and Spanish.

HB 417 amends s. 282.102, F.S., relating to the duties of the State Technology Office, to essentially require that government products, services and information deployed through the MyFlorida.com portal must be provided in English and Spanish at a minimum by October 1, 2008. The bill also creates s. 282.1025 to require that any agency deploying information to individuals and businesses on the MyFlorida.com system, to provide such information in English and Spanish at a minimum by no later than October 1, 2010.

C. SECTION DIRECTORY:

Section 1. Amends s. 282.102(23), F.S., relating to the duties of the State Technology Office.

¹ 3.4 million of Florida's 17.9 total population. *Florida Estimates of Population 2006*, Bureau of Economic and Business Research, University of Florida.

² S. 282.102 (23), F.S.

Section 2. Creates s. 282.1025, F.S., relating to the duties of government agencies deploying information on the integrated electronic system.

Section 3. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The fiscal impact of this bill is indeterminate at this time. A determination of the bill's fiscal impact would require each agency or governmental entity to have a consultant or internal staff conduct an assessment of the best method for implementation for their individual agency. The DMS analysis of this bill provided information regarding the cost incurred in the 2005 initial attempt at implementation of the MyFlorida.com portal pages only and indicated that the cost of initial translation was \$66,141 and \$84,186 for annual licensing, hosting, support and ongoing translation updates. The amount for each agency would depend on the volume of content to be translated. The same provider that translated the MyFlorida.com portal pages in 2005, also at the time provided estimates of recurring costs for the Department of Health at \$255,108, for the Department of State at \$249,666, and for the Department of Community Affairs at \$28,718.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties and cities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

This bill amends the section of Florida Statutes that created the State Technology Office within the Department of Management Services. In 2005, the Legislature passed a bill to transfer the responsibilities of that office to DMS and provided no funds to continue the operation of the office as a separate budget entity. The Governor, however, vetoed the bill that would have implemented impact of the zero funding on the office. As a result, the State Technology Office, although still appearing in statute, no longer exists. In order to assume some of the responsibilities of the de-funded office, DMS subsequently established the Enterprise Information Technology Services program. The program responsibilities, however, are not defined by statute.

In addition, the bill contains two deadlines for implementation: an October 1, 2008 date under the section amending State Technology Office responsibilities which would apply for products, information and services deployed through MyFlorida.com, and a separate October 1, 2010 date for all agencies deploying information through MyFlorida.com. Since every state agency that deploys products, services and information on their own individual web sites have their home page web site linked to the MyFlorida.com portal, it is unclear which deadline is to apply to the individual agencies since they all appear to be subsumed by the requirement of the 2008 deadline. Considering the problem with partial implementation that occurred in the 2005 attempt to provide for Spanish translations of the MyFlorida.com portal pages due to the lack of agency web site translation, a single and common deadline for implementation on both the MyFlorida.com portal pages, as well as for individual agency web sites, may avoid a reemergence of previous concerns with ease of use and implementation.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES