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CHAMBER ACTION

Senate

House

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5/1/2008 2:20 PM

1 The Conference Committee on CS for SB 1892 recommended the
2 following **amendment**:

3
4 **Conference Committee Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Section 14.204, Florida Statutes, is amended to
8 read:

9 14.204 Agency for Enterprise Information Technology.--The
10 Agency for Enterprise Information Technology is created within
11 the Executive Office of the Governor.

12 (1) The head of the agency shall be the Governor and
13 Cabinet, ~~which shall take action by majority vote consisting of~~
14 ~~at least three affirmative votes with the Governor on the~~
15 ~~prevailing side.~~

16 (2) The agency shall be a separate budget entity that is
17 not subject to control, supervision, or direction by the



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18 Executive Office of the Governor in any manner, including, but
19 not limited to, purchasing, transactions involving real or
20 personal property, personnel, or budgetary matters.

21 (3)-(1) The agency shall have an executive director who
22 must: of the agency shall

23 (a) Have a degree from an accredited postsecondary
24 institution;

25 (b) Have at least 7 years of executive-level experience in
26 managing information technology organizations;

27 (c) Be appointed by the Governor and confirmed by the
28 Cabinet, is subject to confirmation by the Senate, and shall
29 serve at the pleasure of the Governor and Cabinet; and. The
30 executive director shall

31 (d) Be the chief information officer of the state and the
32 executive sponsor for all enterprise information technology
33 projects. The executive director must have a degree from an
34 accredited postsecondary institution, and at least 7 years of
35 executive-level experience in managing information technology
36 organizations.

37 (4)-(2) The agency shall have the following duties and
38 responsibilities:

39 (a) Develop ~~and implement~~ strategies for the design,
40 delivery, and management of the enterprise information technology
41 services established in law.

42 (b) Monitor the delivery and management of the enterprise
43 information technology services as established in law.

44 (c) Make recommendations to the agency head and the
45 Legislature concerning other information technology services that
46 should be designed, delivered, and managed as ~~at the~~ enterprise



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47 | information technology services level as defined in s. 282.0041
48 | ~~282.0041(8)~~.

49 | (d) Plan and establish policies for managing proposed
50 | statutorily authorized enterprise information technology
51 | services, which includes:

52 | 1. Developing business cases that, when applicable, include
53 | the components identified in s. 287.0574;

54 | 2. Establishing and coordinating project-management teams;

55 | 3. Establishing formal risk-assessment and mitigation
56 | processes; and

57 | 4. Providing for independent monitoring of projects for
58 | recommended corrective actions.

59 | (e) ~~Not earlier than July 1, 2008,~~ Define the architecture
60 | standards for enterprise information technology services and
61 | develop implementation approaches for statewide migration to
62 | those standards.

63 | (f) Develop and publish a strategic enterprise information
64 | technology plan that identifies and recommends strategies for how
65 | enterprise information technology services will deliver effective
66 | and efficient government services to state residents and improve
67 | the operations of state agencies.

68 | (g) Perform duties related to the state data center system
69 | as provided in s. 282.201.

70 | (h) Coordinate procurement negotiations for hardware and
71 | software acquisition necessary to consolidate data center or
72 | computer facilities infrastructure.

73 | (i) In consultation with the Division of Purchasing in the
74 | Department of Management Services, coordinate procurement
75 | negotiations for software that will be used by multiple agencies.



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76 (j) In coordination with, and through the services of, the
77 Division of Purchasing in the Department of Management Services,
78 develop best practices for technology procurements.

79 (5)~~(3)~~ The agency shall operate in ~~such~~ a manner that
80 ensures the ~~as to ensure~~ participation and representation of
81 state agencies and the Agency Chief Information Officers Council
82 established in s. 282.315.

83 (6) The agency may adopt rules pursuant to ss. 120.536(1)
84 and 120.54 to carry out its statutory duties.

85 Section 2. Subsection (2) of section 215.322, Florida
86 Statutes, is amended to read:

87 215.322 Acceptance of credit cards, charge cards, or debit
88 cards by state agencies, units of local government, and the
89 judicial branch.--

90 (2) A state agency as defined in s. 216.011, or the
91 judicial branch, may accept credit cards, charge cards, or debit
92 cards in payment for goods and services with the prior approval
93 of the Chief Financial Officer. If ~~When~~ the Internet or other
94 related electronic methods are to be used as the collection
95 medium, the Agency for Enterprise Information Technology State
96 Technology Office shall review and recommend to the Chief
97 Financial Officer whether to approve the request with regard to
98 the process or procedure to be used.

99 Section 3. Paragraph (c) of subsection (4) and subsection
100 (6) of section 216.235, Florida Statutes, are amended to read:

101 216.235 Innovation Investment Program.--

102 (4) There is hereby created the State Innovation Committee,
103 which shall have final approval authority as to which innovative
104 investment projects submitted under this section shall be funded.
105 Such committee shall be comprised of seven members. Appointed



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106 members shall serve terms of 1 year and may be reappointed. The
107 committee shall include:

108 (c) The executive director of Chief Information Officer in
109 the Agency for Enterprise Information Technology State Technology
110 Office.

111 (6) Any agency developing an innovative investment project
112 proposal that involves information technology resources may
113 consult with and seek technical assistance from the Agency for
114 Enterprise Information Technology State Technology Office. The
115 office shall consult with the Agency for Enterprise Information
116 Technology concerning State Technology Office for any project
117 proposal that involves enterprise information resource technology
118 resources. The Agency for Enterprise Information Technology shall
119 evaluate the project and advise State Technology Office is
120 responsible for evaluating these projects and for advising the
121 committee and review board of the technical feasibility and any
122 transferable benefits of the proposed technology. In addition to
123 the requirements of subsection (5), the agencies shall provide to
124 the Agency for Enterprise Information Technology State Technology
125 Office any information requested by the Agency for Enterprise
126 Information Technology State Technology Office to aid in
127 determining whether ~~that~~ the proposed technology is appropriate
128 for the project's success.

129 Section 4. Section 282.003, Florida Statutes, is amended to
130 read:

131 282.003 Short title.--This part may be cited as the
132 "Information Technology Resources Management Act ~~of 1997.~~"

133 Section 5. Section 282.0041, Florida Statutes, is amended
134 to read:



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135 282.0041 Definitions.--For the purposes of this part, the
136 term:

137 (1) "Agency" means those entities described in s.
138 216.011(1)(qq).

139 (2) "Agency Chief Information Officer" means the person
140 appointed by the agency head to coordinate and manage the
141 information technology functions and responsibilities applicable
142 to that agency and to participate and represent the ~~his or her~~
143 agency in developing strategies for implementing enterprise
144 information technology services identified in law and developing
145 recommendations for enterprise information technology policy.

146 (3) "Agency Chief Information Officers Council" means the
147 council created in s. 282.315.

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

150 (5) "Agency information technology service" means a service
151 that directly helps an ~~the~~ agency fulfill its statutory or
152 constitutional responsibilities and policy objectives and is
153 usually associated with the agency's primary or core business
154 functions.

155 (6) "Annual budget meeting" means a meeting of the board of
156 trustees of a primary data center to review data center usage to
157 determine the apportionment of board members for the following
158 fiscal year, review rates for each service provided, and
159 determine any other required changes.

160 (7) "Business continuity plan" means a plan for disaster
161 recovery which provides for the continued functioning of a
162 primary data center during and after a disaster.

163 (8) "Computing facility" means agency space containing
164 fewer than 10 servers, any of which supports a strategic or



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165 nonstrategic information technology service, as described in
166 budget instructions developed pursuant to s. 216.023, but
167 excluding single-server installations that exclusively perform a
168 utility function such as file and print servers.

169 (9) "Customer entity" means an entity that obtains services
170 from a primary data center.

171 (10) "Data center" means agency space containing 10 or more
172 servers any of which supports a strategic or nonstrategic
173 information technology service, as described in budget
174 instructions developed pursuant to 216.023.

175 ~~(6) "Customer relationship management" or "CRM" means the~~
176 ~~business processes, software, and Internet capabilities that can~~
177 ~~help state agencies manage customer relationships of the~~
178 ~~organization at the enterprise level.~~

179 ~~(11)-(7)~~ (7) "Enterprise level" means all executive branch
180 agencies created or authorized in statute to perform
181 legislatively delegated functions.

182 ~~(12)-(8)~~ (8) "Enterprise information technology service" means
183 an information technology service that is used in all agencies or
184 a subset of agencies and is established in law to be designed,
185 delivered, and managed at the enterprise level.

186 ~~(13)-(9)~~ (9) "E-mail, messaging, and calendaring service" means
187 the enterprise information technology service that enables users
188 to send, receive, file, store, manage, and retrieve electronic
189 messages, attachments, appointments, and addresses.

190 (14) "Information-system utility" means a full-service
191 information-processing facility offering hardware, software,
192 operations, integration, networking, and consulting services.

193 ~~(15)-(10)~~ (10) "Information technology" means equipment,
194 hardware, software, firmware, programs, systems, networks,



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195 | infrastructure, media, and related material used to
196 | automatically, electronically, and wirelessly collect, receive,
197 | access, transmit, display, store, record, retrieve, analyze,
198 | evaluate, process, classify, manipulate, manage, assimilate,
199 | control, communicate, exchange, convert, converge, interface,
200 | switch, or disseminate information of any kind or form.

201 | (16)~~(11)~~ "Information technology policy" means statements
202 | that describe clear choices for how information technology will
203 | deliver effective and efficient government services to residents
204 | and improve state agency operations. ~~Such~~ A policy may relate to
205 | investments, business applications, architecture, or
206 | infrastructure. A policy describes its rationale, implications of
207 | compliance or noncompliance, the timeline for implementation,
208 | metrics for determining compliance, and the accountable structure
209 | responsible for its implementation.

210 | (17) "Performance metrics" means the measures of an
211 | organization's activities and performance.

212 | (18) "Primary data center" means a state or nonstate agency
213 | data center that is a recipient entity for consolidation of
214 | nonprimary data centers and computing facilities. A primary data
215 | center may be authorized in law or designated by the Agency for
216 | Enterprise Information Technology pursuant to s. 282.201.

217 | (19)~~(12)~~ "Project" means an endeavor that has a defined
218 | start and end point; is undertaken to create or modify a unique
219 | product, service, or result; and has specific objectives that,
220 | when attained, signify completion.

221 | (20) "Service level" means the key performance indicators
222 | (KPI) of an organization or service which must be regularly
223 | performed, monitored, and achieved.



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224 (21) "Service-level agreement" means a written contract
225 between a data center and a customer entity which specifies the
226 scope of services provided, service level, the duration of the
227 agreement, the responsible parties, and service costs. A service-
228 level agreement is not a rule pursuant to chapter 120.

229 ~~(22)-(13)~~ "Standards" means the use of current, open,
230 nonproprietary, or non-vendor-specific technologies.

231 ~~(23)-(14)~~ "Total cost" means all costs associated with
232 information technology projects or initiatives, including, but
233 not limited to, value of hardware, software, service,
234 maintenance, incremental personnel, and facilities. Total cost of
235 a loan or gift of information technology resources to an agency
236 includes the fair market value of the resources; however, except
237 ~~that~~ the total cost of loans or gifts of information technology
238 to state universities to be used in instruction or research does
239 not include fair market value.

240 (24) "Usage" means the billing amount charged by the
241 primary data center, less any pass-through charges, to the
242 customer entity.

243 (25) "Usage rate" means a customer entity's usage or
244 billing amount as a percentage of total usage.

245 Section 6. Section 282.0055, Florida Statutes, is amended
246 to read:

247 282.0055 Assignment of information technology.--In order to
248 ensure the most effective and efficient use of the state's
249 information technology and information technology resources and
250 notwithstanding other provisions of law to the contrary, policies
251 for the design, planning, project management, and implementation
252 of ~~the~~ enterprise information technology services ~~defined in s.~~
253 ~~282.0041(8)~~ shall be the responsibility of the Agency for



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254 Enterprise Information Technology for executive branch agencies
255 created or authorized in statute to perform legislatively
256 delegated functions. The supervision, design, delivery, and
257 management of agency information technology ~~defined in s.~~
258 ~~282.0041(5)~~ shall remain within the responsibility and control of
259 the individual state agency.

260 Section 7. Section 282.0056, Florida Statutes, are amended
261 to read:

262 282.0056 Development of work plan; development of
263 implementation plans; and policy recommendations.--

264 (1) For the purposes of carrying out its responsibilities
265 under set forth in s. 282.0055, the Agency for Enterprise
266 Information Technology shall develop an annual a work plan within
267 60 days after the beginning of the fiscal year describing the
268 activities that the agency intends to undertake for that year,
269 including and the proposed outcomes and completion timeframes.
270 The work plan must be presented at a public hearing that includes
271 the Agency Chief Information Officers Council, which may review
272 and comment on the plan. The work plan must thereafter be
273 approved by the Governor and Cabinet and submitted to the
274 President of the Senate and the Speaker of the House of
275 Representatives. The work plan may be amended as needed, subject
276 to approval by the Governor and Cabinet ~~to ensure that the~~
277 ~~enterprise information technology services will be provided in an~~
278 ~~efficient, effective, and accountable manner. For the 2007-2008~~
279 ~~fiscal year, the agency's work plan shall include the development~~
280 ~~of recommended enterprise information technology policies, as~~
281 ~~defined in s. 282.0041(11).~~

282 (2) By December 31, 2009, ~~For the fiscal year beginning in~~
283 ~~2008-2009,~~ the agency shall develop, and submit to the President



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284 of the Senate and the Speaker of the House of Representatives,
285 implementation plans for at least one ~~up to three~~ of the
286 following proposed enterprise information technology services to
287 be established in law:

288 ~~(a) Consolidation of the deployment, management, and~~
289 ~~operation of state-owned or state-operated computer rooms and~~
290 ~~data centers.~~

291 ~~(a)(b)~~ A shared or consolidated enterprise information
292 technology service delivery and support model for the e-mail,
293 messaging, and calendaring service defined in s. 282.0041(9).

294 ~~(b)(c)~~ Information security.

295 ~~(d) A shared customer relationship management system that~~
296 ~~consolidates agency requirements for receiving, managing,~~
297 ~~responding to, tracking, and reporting on telephone, e-mail,~~
298 ~~personnel, and other communications received from citizens.~~

299 ~~(c)(e)~~ Consideration of a planned replacement cycle for
300 computer equipment.

301 (3) In developing policy recommendations and implementation
302 plans for established and proposed enterprise information
303 technology services, the agency shall describe the scope of
304 operation, conduct costs and requirements analyses, conduct an
305 inventory of all existing information technology resources that
306 are associated with each service, and develop strategies and
307 timeframes for statewide migration. For purposes of consolidating
308 state-owned or state-operated computer rooms and data centers,
309 the agency ~~for Enterprise Information Technology~~ shall develop a
310 migration plan for ~~prior to initiating~~ any consolidation effort.

311 (4) For the purpose of completing its work activities, each
312 state agency shall provide to the agency ~~for Enterprise~~
313 ~~Information Technology~~ all requested information, including, but



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314 not limited to, the state agency's costs, service requirements,
315 and equipment inventories.

316 (5) Within 60 days after the end of each fiscal year, the
317 agency shall report to the Governor and Cabinet, the President of
318 the Senate, and the Speaker of the House of Representatives on
319 what was achieved or not achieved in the prior year's work plan.

320 Section 8. Section 282.201, Florida Statutes, is created to
321 read:

322 282.201 State data center system; agency duties and
323 limitations.--A state data center system that includes all
324 primary data centers, other nonprimary data centers, and
325 computing facilities, and that provides an enterprise information
326 technology service as defined in s. 282.0041, is established.

327 (1) INTENT.--The legislature finds that the most efficient
328 and effective means of providing quality utility data processing
329 services to state agencies requires that computing resources be
330 concentrated in quality facilities that provide the proper
331 security, infrastructure, and staff resources to ensure that the
332 state's data is maintained reliably, safely, and is recoverable
333 in the event of a disaster. Efficiencies resulting from such
334 consolidation include the increased ability to leverage
335 technological expertise, hardware and software capabilities;
336 increased savings through consolidated purchasing decisions; and
337 the enhanced ability to deploy technology improvements and
338 implement new policies consistently throughout the consolidated
339 organization. Therefore it is the intent of the Legislature that
340 agency data centers and computing facilities be consolidated into
341 primary data centers to the maximum extent possible by 2019.

342 (2) AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY
343 DUTIES.--The Agency for Enterprise Information Technology shall:



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344 (a) Collect and maintain information necessary for
345 developing policies relating to the data center system,
346 including, but not limited to, an inventory of facilities.

347 (b) Annually approve cost-recovery mechanisms and rate
348 structures for primary data centers which recover costs through
349 charges to customer entities.

350 (c) By December 31 of each year beginning in 2009, submit
351 to the Legislature recommendations to improve the efficiency and
352 effectiveness of computing services provided by state data center
353 system facilities. Such recommendations may include, but need not
354 be limited to:

355 1. Policies for improving the cost-effectiveness and
356 efficiency of the state data center system.

357 2. Infrastructure improvements supporting the consolidation
358 of facilities or preempting the need to create additional data
359 center facilities or computing facilities.

360 3. Standards for an objective, credible energy performance
361 rating system that data center boards of trustees can use to
362 measure state data center energy consumption and efficiency on a
363 biannual basis.

364 4. Uniform disaster recovery standards.

365 5. Standards for providing transparent financial data to
366 user agencies.

367 6. Consolidation of contract practices or coordination of
368 software, hardware, or other technology-related procurements.

369 7. Improvements to data center governance structures.

370 (d) By December 31 of each year beginning in 2009, identify
371 at least two nonprimary data centers or computing facilities for
372 consolidation into a primary data center or nonprimary data
373 center facility. The consolidation proposal must provide a



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374 transition plan, including estimated transition costs, timeframes
375 for the transition, proposed budgetary savings, and substantive
376 legislative changes necessary to implement the transition.

377 1. Recommendations shall be based on the goal of maximizing
378 current and future cost savings. The agency shall consider the
379 following criteria in selecting consolidations that maximize
380 efficiencies by providing the ability to:

381 a. Consolidate purchase decisions;

382 b. Leverage expertise and other resources to gain economies
383 of scale;

384 c. Implement state information technology policies more
385 effectively; and

386 d. Maintain or improve the level of service provision to
387 customer entities.

388 e. Make progress towards the state's goal of consolidating
389 data centers and computing facilities into primary data centers.

390 2. The agency shall establish workgroups as necessary to
391 ensure participation by affected agencies in the development of
392 recommendations related to consolidations.

393 3. By December 31, 2010, the agency shall develop and
394 submit to the Legislature an overall consolidation plan for state
395 data centers and computing facilities. The plan shall indicate a
396 timeframe for the consolidation of all remaining facilities into
397 primary data centers, including existing and proposed data
398 centers, by 2019.

399 4. This paragraph expires July 1, 2017.

400 (e) Develop and establish policies by rule relating to the
401 operation of the state data center system which must comply with
402 applicable federal regulations, including 2 C.F.R. part 225 and
403 45 C.F.R. The policies may address:



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404 1. Ensuring that financial information is captured and
405 reported consistently and accurately.

406 2. Requiring the establishment of service-level agreements
407 executed between a data center and its customer entities for
408 services provided.

409 3. Requiring annual full cost recovery on an equitable
410 rational basis. The cost-recovery methodology must ensure that no
411 service is subsidizing another service and may include adjusting
412 the subsequent year's rates as a means to recover deficits or
413 refund surpluses from a prior year.

414 4. Requiring that any special assessment imposed to fund
415 expansion is based on a methodology that apportions the
416 assessment according to the proportional benefit to each customer
417 entity.

418 5. Requiring that rebates be given when revenues have
419 exceeded costs, that rebates be applied to offset charges to
420 those customer entities that have subsidized the costs of other
421 customer entities, and that such rebates may be in the form of
422 credits against future billings.

423 6. Requiring that all service-level agreements have a
424 contract term of up to 3 years, but may include an option to
425 renew for up to 3 additional years contingent on approval by the
426 board, and require at least a 180-day notice of termination.

427 7. Designating any nonstate data centers as primary data
428 centers if the center:

429 a. Has an established governance structure that represents
430 customer entities proportionally.

431 b. Maintains an appropriate cost-allocation methodology
432 that accurately bills a customer entity based on the actual
433 direct and indirect costs to the customer entity and prohibits



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434 the subsidization of one customer entity's costs by another
435 entity.

436 c. Has sufficient raised floor space, cooling, redundant
437 power capacity, including uninterruptible power supply and backup
438 power generation, to accommodate the computer processing
439 platforms and support necessary to host the computing
440 requirements of additional customer entities.

441 (3) STATE AGENCY DUTIES.--

442 (a) For the purpose of completing its work activities as
443 described in subsection (1), each state agency shall provide to
444 the Agency for Enterprise Information Technology all requested
445 information and any other information relevant to the agency's
446 ability to effectively transition its computer services into a
447 primary data center. The agency shall also participate as
448 required in workgroups relating to specific consolidation
449 planning and implementation tasks as assigned by the Agency for
450 Enterprise Information Technology and determined necessary to
451 accomplish consolidation goals.

452 (b) Each state agency shall submit to the Agency for
453 Enterprise Information Technology information relating to its
454 data centers and computing facilities as required in instructions
455 issued by July 1 of each year by the Agency for Enterprise
456 Information Technology. The information required may include:

- 457 1. The amount of floor space used and available.
458 2. The numbers and capacities of mainframes and servers.
459 3. Storage and network capacity.
460 4. Amount of power used and the available capacity.
461 5. Estimated expenditures by service area, including
462 hardware and software, numbers of full-time equivalent positions,
463 personnel turnover, and position reclassifications.



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464 6. A list of contracts in effect for the fiscal year,
465 including, but not limited to, contracts for hardware, software
466 and maintenance, including the expiration date, the contract
467 parties, and the cost of the contract.

468 7. Service-level agreements by customer entity.

469 (c) The Chief Information Officer of each state agency
470 shall assist the Agency for Enterprise Information Technology as
471 required by the agency.

472 (4) AGENCY LIMITATIONS.--

473 (a) Unless authorized by the Legislature or as provided in
474 paragraph (b), a state agency may not:

475 1. Create a new computing facility or data center, or
476 expand the capability to support additional computer equipment in
477 an existing computing facility or nonprimary data center;

478 2. Transfer existing computer services to a nonprimary data
479 center or computing facility;

480 3. Terminate services with a primary data center or
481 transfer services between primary data centers without giving
482 written notice of intent to terminate or transfer services 180
483 days before such termination or transfer; or

484 4. Initiate a new computer service if it does not currently
485 have an internal data center except with a primary data center.

486 (b) Exceptions to the limitations in paragraph (a) may be
487 granted by the agency head of the Agency for Enterprise
488 Information Technology if there is insufficient capacity in a
489 primary data center to absorb the workload associated with agency
490 computing services.

491 (5) RULES.--The Agency for Enterprise Information
492 Technology is authorized to adopt rules pursuant to ss.
493 120.536(1) and 120.54 to administer the provisions of this part



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494 relating to the state data center system including the primary
495 data centers.

496 Section 9. Section 282.203, Florida Statutes, is created to
497 read:

498 282.203 Primary data centers.--

499 (1) DATA CENTER DUTIES.--Each primary data center shall:

500 (a) Serve customer entities as an information-system
501 utility.

502 (b) Cooperate with customer entities to offer, develop, and
503 support the services and applications as defined and provided by
504 the center's board of trustees and customer entities.

505 (c) Comply with rules adopted by the Agency for Enterprise
506 Information Technology, pursuant to this section, and coordinate
507 with the agency in the consolidation of data centers.

508 (d) Provide transparent financial statements to customer
509 entities and the Agency for Enterprise Information Technology.

510 (e) Maintain the performance of the facility, which
511 includes ensuring proper data backup, data backup recovery, an
512 effective disaster recovery plan, and appropriate security,
513 power, cooling and fire suppression, and capacity.

514 (f) Develop a business continuity plan and conduct a live
515 exercise of the plan at least annually. The plan must be approved
516 by the board and the Agency for Enterprise Information
517 Technology.

518 (g) Enter into a service-level agreement with each customer
519 entity to provide services as defined and approved by the board
520 in compliance with rules of the Agency for Enterprise Information
521 Technology. A service-level agreement may not have a term
522 exceeding 3 years but may include an option to renew for up to 3
523 years contingent on approval by the board.



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- 524 1. A service-level agreement, at a minimum, must:
- 525 a. Identify the parties and their roles, duties, and
- 526 responsibilities under the agreement;
- 527 b. Identify the legal authority under which the service-
- 528 level agreement was negotiated and entered into by the parties;
- 529 c. State the duration of the contractual term and specify
- 530 the conditions for contract renewal;
- 531 d. Prohibit the transfer of computing services between
- 532 primary data center facilities without at least 180 days' notice
- 533 of service cancellation;
- 534 e. Identify the scope of work;
- 535 f. Identify the products or services to be delivered with
- 536 sufficient specificity to permit an external financial or
- 537 performance audit;
- 538 g. Establish the services to be provided, the business
- 539 standards that must be met for each service, the cost of each
- 540 service, and the process by which the business standards for each
- 541 service are to be objectively measured and reported;
- 542 h. Identify applicable funds and funding streams for the
- 543 services or products under contract;
- 544 i. Provide a timely billing methodology for recovering the
- 545 cost of services provided to the customer entity;
- 546 j. Provide a procedure for modifying the service-level
- 547 agreement to address changes in projected costs of service;
- 548 k. Provide that a service-level agreement may be terminated
- 549 by either party for cause only after giving the other party and
- 550 the Agency for Enterprise Information Technology notice in
- 551 writing of the cause for termination and an opportunity for the
- 552 other party to resolve the identified cause within a reasonable
- 553 period; and



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554 1. Provide for mediation of disputes by the Division of
555 Administrative Hearings pursuant to s. 120.573.
556 2. A service-level agreement may include:
557 a. A dispute resolution mechanism, including alternatives
558 to administrative or judicial proceedings;
559 b. The setting of a surety or performance bond for service-
560 level agreements entered into with nonstate agency primary data
561 centers, which may be designated by the Agency for Enterprise
562 Information Technology; or
563 c. Additional terms and conditions as determined advisable
564 by the parties if such additional terms and conditions do not
565 conflict with the requirements of this section or rules adopted
566 by the Agency for Enterprise Information Technology.
567 3. The failure to execute a service-level agreement within
568 60 days after service commencement shall, in the case of an
569 existing customer entity, result in a continuation of the terms
570 of the service-level agreement from the prior fiscal year,
571 including any amendments that were formally proposed to the
572 customer entity by the primary data center within the 3 months
573 before service commencement, and a revised cost-of-service
574 estimate. If a new customer entity fails to execute an agreement
575 within 60 days after service commencement, the data center may
576 cease services.
577 (h) Plan, design, establish pilot projects for, and conduct
578 experiments with information technology resources, and implement
579 enhancements in services if such implementation is cost-effective
580 and approved by the board.
581 (i) Enter into a memorandum of understanding with the
582 agency where the data center is administratively located which



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583 establishes the services to be provided by that agency to the
584 data center and the cost of such services.

585 (2) BOARD OF TRUSTEES.--Each primary data center shall be
586 headed by a board of trustees as defined in s. 20.03.

587 (a) The members of the board shall be appointed by the
588 agency head or chief executive officer of the representative
589 customer entities of the primary data center and shall serve at
590 the pleasure of the appointing customer entity. The initial
591 appointments of members shall be made as soon as practicable, but
592 not later than July 1, 2008.

593 1. For each of the first two fiscal years that a center is
594 in operation, membership shall be apportioned as provided in
595 subparagraph 3. based on projected customer entity usage rates
596 for the fiscal operating year of the primary data center.
597 However, at a minimum:

598 a. During the Southwood Shared Resource Center's first 2
599 operating years, the Department of Transportation, the Department
600 of Highway Safety and Motor Vehicles, the Department of Health,
601 and the Department of Revenue must each have at least one
602 trustee.

603 b. During the Northwood Shared Resource Center's first
604 operating year, the Department of State and the Department of
605 Education must each have at least one trustee.

606 2. After the second full year of operation, membership
607 shall be apportioned as provided in subparagraph 3. based on the
608 most recent estimate of customer entity usage rates for the prior
609 year and a projection of usage rates for the first 9 months of
610 the next fiscal year. Such calculation must be completed before
611 the annual budget meeting held before the beginning of the next
612 fiscal year so that any decision to add or remove board members



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613 can be voted on at the budget meeting and become effective on
614 July 1 of the subsequent fiscal year.

615 3. Membership shall be apportioned using the following
616 criteria:

617 a. Customer entities of a primary data center whose usage
618 rate represents 4 to 14 percent of total usage shall have one
619 trustee.

620 b. Customer entities of a primary data center whose usage
621 rate represents 15 to 29 percent of total usage shall have two
622 trustees.

623 c. Customer entities of a primary data center whose usage
624 rate represents 30 to 49 percent of total usage shall have three
625 trustees.

626 d. A customer entity of a primary data center whose usage
627 rate represents 50 percent or more of total usage shall have four
628 trustees.

629 e. A single trustee shall represent those customer entities
630 that represent less than 4 percent of the total usage. The
631 trustee shall be selected by a process determined by the board.

632 f. The executive director of the Agency for Enterprise
633 Information Technology shall serve as a voting member of the
634 board.

635 (b) Before July 1 of each year, each board of trustees of a
636 primary data center shall elect a chair and a vice chair to a
637 term of 1 year or until a successor is elected. The vice chair
638 shall serve in the absence of the chair. The vice chair may not
639 be from the same customer entity as the chair. The chair may be
640 elected to serve one additional successive term.



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641 (c) Members of the board representing customer entities who
642 fail to timely pay for data center services do not have voting
643 rights.

644 (d) The board shall take action by majority vote. If there
645 is a tie, the chair shall be on the prevailing side.

646 (3) BOARD DUTIES.--Each board of trustees of a primary data
647 center shall:

648 (a) Employ an executive director, pursuant to s. 20.05, who
649 serves at the pleasure of the board. The executive director is
650 responsible for the daily operation of the primary data center,
651 ensuring compliance with all laws and rules regulating the
652 primary data center, managing primary data center employees, and
653 the performance of the primary data center.

654 (b) Establish procedures for the primary data center to
655 ensure that budgeting and accounting procedures, cost-recovery
656 methodologies, and operating procedures are in compliance with
657 laws governing the state data center system, rules adopted by the
658 Agency for Enterprise Information Technology, and applicable
659 federal regulations, including 2 C.F.R. part 225 and 45 C.F.R.

660 (c) Monitor the operation of the primary data center to
661 ensure compliance by the executive director and employees with
662 laws and rules governing the primary data center, and ensure that
663 staff members are accountable for the performance of the primary
664 data center.

665 (d) Provide each customer entity with full disclosure
666 concerning plans for new, additional, or reduced service
667 requirements, including expected achievable service levels and
668 performance metrics.

669 (e) Ensure the sufficiency and transparency of the primary
670 data center financial information by:



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671 1. Establishing policies that ensure that cost-recovery
672 methodologies, billings, receivables, expenditure, budgeting, and
673 accounting data are captured and reported timely, consistently,
674 accurately, and transparently and, upon adoption of rules by the
675 Agency for Enterprise Information Technology, are in compliance
676 with such rules.

677 2. Requiring execution of service-level agreements by the
678 data center and each customer entity for services provided by the
679 data center to the customer entity.

680 3. Requiring cost recovery for the full cost of services,
681 including direct and indirect costs. The cost-recovery
682 methodology must ensure that no service is subsidizing another
683 service without an affirmative vote of approval by the customer
684 entity providing the subsidy.

685 4. Establishing special assessments to fund expansions
686 based on a methodology that apportions the assessment according
687 to the proportional benefit to each customer entity.

688 5. Providing rebates to customer entities when revenues
689 exceed costs and offsetting charges to those who have subsidized
690 other customer entity costs based on actual prior year final
691 expenditures. Rebates may be credited against future billings.

692 6. Approving all expenditures committing over \$50,000 in a
693 fiscal year.

694 7. Projecting costs and revenues at the beginning of the
695 third quarter of each fiscal year through the end of the fiscal
696 year. If in any given fiscal year the primary data center is
697 projected to earn revenues that are below costs for that fiscal
698 year after first reducing operating costs where possible, the
699 board shall implement any combination of the following remedies
700 to cover the shortfall:



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701 a. The board may direct the primary data center to adjust
702 current year chargeback rates through the end of the fiscal year
703 to cover the shortfall. The rate adjustments shall be implemented
704 using actual usage rate and billing data from the first three
705 quarters of the fiscal year and the same principles used to set
706 rates for the fiscal year.

707 b. The board may direct the primary data center to levy
708 one-time charges on all customers entities to cover the
709 shortfall. The one-time charges shall be implemented using actual
710 usage rate and billing data from the first three quarters of the
711 fiscal year and the same principles used to set rates for the
712 fiscal year.

713 c. The customer entities represented by each board member
714 may provide payments to cover the shortfall in proportion to the
715 amounts each entity paid in the prior fiscal year.

716 (f) Meet as often as necessary, but not less than once per
717 quarter, and hold the annual budget meeting between April 1 and
718 June 30 of each year.

719 (g) Approve the portfolio of services offered by the data
720 center.

721 (h) By July 1 of each year, submit to the Agency for
722 Enterprise Information Technology, proposed cost-recovery
723 mechanisms and rate structures for all customer entities for the
724 fiscal year including the cost-allocation methodology for
725 administrative expenditures and the calculation of administrative
726 expenditures as a percent of total costs.

727 (i) Consider energy-efficient products and their total cost
728 of ownership when replacing, upgrading, or expanding:

729 1. Data center facilities, including, but not limited to,
730 environmental, power, and control systems; and



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731 2. Data center network, storage, and computer equipment. If
732 the total cost of ownership, including initial acquisition cost,
733 is estimated to be equal to or lower than existing
734 infrastructure, technical specifications for energy-efficient
735 products should be incorporated into the replacement, upgrade, or
736 expansion planning and acquisition process.

737 Section 10. Section 282.204, Florida Statutes, is created
738 to read:

739 282.204 Northwood Shared Resource Center.--

740 (1) Beginning July 1, 2008, a workgroup shall be
741 established within the Department of Children and Family Services
742 for the purpose of developing a plan for converting its data
743 center to a primary data center. The workgroup shall be chaired
744 by a member appointed by the secretary of the department.
745 Workgroup members may include other state agencies who will be
746 customers of the data center during the 2009-2010 fiscal year.
747 The workgroup shall include staff members who have appropriate
748 financial and technical skills as determined by the chair of the
749 workgroup. The conversion plan shall address organizational
750 changes, personnel changes, cost-allocation plan changes, and any
751 other changes necessary to effectively convert to a primary state
752 data center capable of providing computer services as required by
753 s. 282.201. The workgroup shall submit recommendations for
754 facilitating the conversion to the Governor and Cabinet, the
755 President of the Senate, and the Speaker of the House of
756 Representatives by December 31, 2008.

757 (2) Effective July 1, 2009, the Northwood Shared Resource
758 Center is established within the Department of Children and
759 Family Services for administrative purposes only. The center is
760 designated as a primary data center and shall be a separate



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761 budget entity that is not subject to control, supervision, or
762 direction of the department in any manner, including, but not
763 limited to, purchasing, transactions involving real or personal
764 property, personnel, or budgetary matters.

765 (3) The center shall be headed by a board of trustees as
766 provided in s. 282.203, who shall comply with all requirements of
767 that section related to the operation of the center and with the
768 policies of the Agency for Enterprise Information Technology
769 related to the design and delivery of enterprise information
770 technology services.

771 Section 11. Section 282.205, Florida Statutes, is created
772 to read:

773 282.205 Southwood Shared Resource Center.--

774 (1) Effective July 1, 2008, the Southwood Shared Resource
775 Center is established within the Department of Management
776 Services for administrative purposes only. The center is
777 designated as a primary data center and shall be a separate
778 budget entity that is not subject to control, supervision, or
779 direction of the department in any manner, including, but not
780 limited to, purchasing, transactions involving real or personal
781 property, personnel, or budgetary matters.

782 (2) The Department of Management Services and the center
783 shall identify resources associated with information technology
784 functions which are not related to the support, management, and
785 operation of the data center but which currently exist within the
786 same budget entity as the data center. By October 1, 2008, the
787 center shall submit a budget amendment to transfer resources
788 associated with these functions to the Department of Management
789 Services.



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790 (3) The center shall be headed by a board of trustees as
791 provided in s. 282.203, who shall comply with all requirements of
792 that section related to the operation of the center and with the
793 policies of the Agency for Enterprise Information Technology
794 related to the design and delivery of enterprise information
795 technology services.

796 Section 12. Paragraph (c) of subsection (1) of section
797 282.315, Florida Statutes, is amended to read:

798 282.315 Agency Chief Information Officers Council;
799 creation.--The Legislature finds that enhancing communication,
800 consensus building, coordination, and facilitation with respect
801 to issues concerning enterprise information technology resources
802 are essential to improving the management of such resources.

803 (1) There is created an Agency Chief Information Officers
804 Council to:

805 (c) Identify efficiency opportunities among state agencies
806 and make recommendations for action to the Agency for Enterprise
807 Information Technology. This includes recommendations relating to
808 the consolidation of agency data center and computing facilities,
809 including operational policies, procedures and standards for the
810 consolidated facilities, and procedures and standards for
811 planning the migration to consolidated facilities.

812 Section 13. Subsection (23) of section 287.057, Florida
813 Statutes, is amended to read:

814 287.057 Procurement of commodities or contractual
815 services.--

816 (23) ~~(a)~~ The department, in consultation with the Agency for
817 Enterprise Information Technology ~~State Technology Office~~ and the
818 Comptroller, shall develop a program for online procurement of
819 commodities and contractual services. To enable the state to



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820 | promote open competition and to leverage its buying power,
821 | agencies shall participate in the online procurement program, and
822 | eligible users may participate in the program. Only vendors
823 | prequalified as meeting mandatory requirements and qualifications
824 | criteria may ~~shall be permitted to~~ participate in online
825 | procurement.

826 | (a) The department, in consultation with the agency ~~State~~
827 | ~~Technology Office~~, may contract for equipment and services
828 | necessary to develop and implement online procurement.

829 | (b) The department, in consultation with the agency ~~State~~
830 | ~~Technology Office~~, shall adopt rules, pursuant to ss. 120.536(1)
831 | and 120.54, to administer the program for online procurement. The
832 | rules shall include, but not be limited to:

833 | 1. Determining the requirements and qualification criteria
834 | for prequalifying vendors.

835 | 2. Establishing the procedures for conducting online
836 | procurement.

837 | 3. Establishing the criteria for eligible commodities and
838 | contractual services.

839 | 4. Establishing the procedures for providing access to
840 | online procurement.

841 | 5. Determining the criteria warranting any exceptions to
842 | participation in the online procurement program.

843 | ~~(c)1.~~ The department may impose and shall collect all fees
844 | for the use of the online procurement systems.

845 | 1. The fees may be imposed on an individual transaction
846 | basis or as a fixed percentage of the cost savings generated. At
847 | a minimum, the fees must be set in an amount sufficient to cover
848 | the projected costs of the services, including administrative and
849 | project service costs in accordance with the policies of the



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850 department. ~~All fees and surcharges collected under this~~
851 ~~paragraph shall be deposited in the Operating Trust Fund as~~
852 ~~provided by law.~~

853 2. If the department contracts with a provider for online
854 procurement, the department, pursuant to appropriation, shall
855 compensate the provider from the fees after the department has
856 satisfied all ongoing costs. The provider shall report
857 transaction data to the department each month so that the
858 department may determine the amount due and payable to the
859 department from each vendor.

860 3. All fees that are due and payable to the state on a
861 transactional basis or as a fixed percentage of the cost savings
862 generated are subject to s. 215.31 and must be remitted within 40
863 days after receipt of payment for which the fees are due. For ~~any~~
864 fees that are not remitted within 40 days, the vendor shall pay
865 interest at the rate established under s. 55.03(1) on the unpaid
866 balance from the expiration of the 40-day period until the fees
867 are remitted.

868 4. All fees and surcharges collected under this paragraph
869 shall be deposited in the Operating Trust Fund as provided by
870 law.

871 Section 14. Subsection (4) of section 445.011, Florida
872 Statutes, is amended to read:

873 445.011 Workforce information systems.--

874 (4) Workforce Florida, Inc., shall coordinate development
875 and implementation of workforce information systems with the
876 executive director of the Agency for Enterprise Information
877 Technology ~~state's Chief Information Officer in the State~~
878 ~~Technology Office~~ to ensure compatibility with the state's
879 information system strategy and enterprise architecture.



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880 Section 15. Subsection (2) and paragraphs (a) and (b) of
881 subsection (4) of section 445.045, Florida Statutes, are amended
882 to read:

883 445.045 Development of an Internet-based system for
884 information technology industry promotion and workforce
885 recruitment.--

886 (2) Workforce Florida, Inc., shall coordinate with the
887 Agency for Enterprise Information Technology ~~State Technology~~
888 ~~Office~~ and the Agency for Workforce Innovation to ensure links,
889 where feasible and appropriate, to existing job information
890 websites maintained by the state and state agencies and to ensure
891 that information technology positions offered by the state and
892 state agencies are posted on the information technology website.

893 (4) (a) Workforce Florida, Inc., shall coordinate
894 development and maintenance of the website under this section
895 with the executive director of the Agency for Enterprise
896 Information Technology ~~state's Chief Information Officer in the~~
897 ~~State Technology Office~~ to ensure compatibility with the state's
898 information system strategy and enterprise architecture.

899 (b) Workforce Florida, Inc., may enter into an agreement
900 with the Agency for Enterprise Information Technology ~~State~~
901 ~~Technology Office~~, the Agency for Workforce Innovation, or any
902 other public agency with the requisite information technology
903 expertise for the provision of design, operating, or other
904 technological services necessary to develop and maintain the
905 website.

906 Section 16. Paragraph (b) of subsection (18) of section
907 668.50, Florida Statutes, is amended to read:

908 668.50 Uniform Electronic Transaction Act.--



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909 (18) ACCEPTANCE AND DISTRIBUTION OF ELECTRONIC RECORDS BY
910 GOVERNMENTAL AGENCIES.--

911 (b) To the extent that a governmental agency uses
912 electronic records and electronic signatures under paragraph (a),
913 the Agency for Enterprise Information Technology ~~state technology~~
914 ~~office~~, in consultation with the governmental agency, giving due
915 consideration to security, may specify:

916 1. The manner and format in which the electronic records
917 must be created, generated, sent, communicated, received, and
918 stored and the systems established for those purposes.

919 2. If electronic records must be signed by electronic
920 means, the type of electronic signature required, the manner and
921 format in which the electronic signature must be affixed to the
922 electronic record, and the identity of, or criteria that must be
923 met by, any third party used by a person filing a document to
924 facilitate the process.

925 3. Control processes and procedures as appropriate to
926 ensure adequate preservation, disposition, integrity, security,
927 confidentiality, and auditability of electronic records.

928 4. Any other required attributes for electronic records
929 which are specified for corresponding nonelectronic records or
930 reasonably necessary under the circumstances.

931 Section 17. All data center functions performed, managed,
932 operated, or supported by state agencies with resources and
933 equipment currently located in a state primary data center
934 created by this act, excluding application development, shall be
935 transferred to the primary data center and that agency shall
936 become a full-service customer entity by July 1, 2010. All
937 resources and equipment located in the primary data center shall
938 be operated, managed, and controlled by the primary data center.



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939 Data center functions include, but are not limited to, all data
940 center hardware, software, staff, contracted services, and
941 facility resources performing data center management and
942 operations, security, production control, backup and recovery,
943 disaster recovery, system administration, database
944 administration, system programming, job control, production
945 control, print, storage, technical support, help desk, and
946 managed services.

947 (1) To accomplish the transition, each state agency that is
948 a customer entity of a primary data center shall:

949 (a) By October 1, 2009, submit a plan to the board of
950 trustees of the appropriate primary data center describing costs
951 and resources currently used to manage and maintain hardware and
952 operating and support software housed at the primary data center,
953 and a plan for transferring all resources allocated to data
954 center functions to the primary data center. The plan shall:

955 1. Include the itemized expenditures for all of the related
956 equipment and software in the previous 5 fiscal years.

957 2. Propose averages or weighted averages for transferring
958 spending authority related to equipment and software based upon
959 spending in the previous 5 fiscal years and projected needs for
960 the upcoming 2 fiscal years.

961 (b) Submit with its 2010-2011 legislative budget request
962 budget adjustments necessary to accomplish the transfers. These
963 adjustments shall include budget requests to replace existing
964 spending authority in the appropriations categories used to
965 manage, maintain, and upgrade hardware, operating software, and
966 support software with an amount in a single appropriation
967 category to pay for the services of the primary data center.



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968 (2) The board of trustees of each primary data center
969 shall:

970 (a) Be responsible for the efficient transfer of resources
971 in user agencies relating to the provision of full services and
972 shall coordinate the legislative budget requests of the affected
973 agencies.

974 (b) Include in its 2010-2011 legislative budget request
975 additional budget authority to accommodate the transferred
976 functions.

977 (c) Develop proposed cost-recovery plans for its customer
978 entities at its annual budget meeting held before July 1, 2010,
979 using the principles established in s. 282.203, Florida Statutes.

980 Section 18. (1) The computing requirements currently
981 provided by the mainframe resources of the Department of
982 Transportation and the Department of Highway Safety and Motor
983 Vehicles, each hereafter referred to as a mainframe agency, at
984 the Suwannee and Kirkman Data Centers, respectively, and the
985 Southwood Shared Resource Center, shall, by the first weekend
986 after July 1, 2009, be consolidated within the Southwood Shared
987 Resource Center.

988 (a) Mainframe consolidation may be achieved through any
989 combination of strategies that leverage the primary data center's
990 economies of scale and negotiating strengths as the single
991 provider of mainframe services to achieve savings for the state.

992 (b) The Agency for Enterprise Information Technology in
993 coordination with the Southwood Shared Resource Center shall
994 negotiate with vendors providing mainframe hardware, operating
995 and support software, mainframe peripherals, and related
996 services.

997 (2) For the purposes of this section, the term:



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998 (a) "Application software" means software that directly
999 collects and processes data, directly automates government
1000 business processes, or directly renders government data into
1001 information.

1002 (b) "Mainframe peripherals" means devices that store data
1003 processed by a mainframe, devices exclusively used to facilitate
1004 communication with mainframes, printers that print mainframe
1005 jobs, and any device directly connected to a mainframe.

1006 (c) "Operating software" means software used to manage and
1007 facilitate the use of hardware and other software.

1008 (d) "Support software" means software that is not operating
1009 software or application software.

1010 (3) By September 1, 2008, the Southwood Shared Resource
1011 Center and each mainframe agency shall establish a service-level
1012 agreement for the mainframe transition period. The service-level
1013 agreement shall, at a minimum, include:

1014 (a) An estimate of the type and quantity of services that
1015 the mainframe agency expects to use for the applicable period,
1016 including commitments and any related impending changes.

1017 (b) A process both parties shall use for notifying each
1018 other of any change to the scope, quantity, or conditions of the
1019 services provided.

1020 (c) Quality of service commitments from the Southwood
1021 Shared Resource Center to the mainframe agency.

1022 (4) On September 1, 2008, each mainframe agency, in
1023 conjunction with the Southwood Shared Resource Center, shall
1024 implement the following regarding the mainframes used by the
1025 agency:

1026 (a) Identification of staff, including vendors, responsible
1027 for managing, operating, and supporting each mainframe and



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1028 mainframe peripherals who shall report to and be supervised by
1029 managers of the Southwood Shared Resource Center.

1030 (b) Identification of mainframe hardware, mainframe
1031 operating and support software, and mainframe peripherals owned
1032 by the mainframe agency which shall become the property of the
1033 Southwood Shared Resource Center.

1034 (c) Decisions regarding usage, replacement, extensions, and
1035 upgrades shall be made by the Southwood Shared Resource Center.

1036 (5) By October 1, 2008, each mainframe agency shall provide
1037 the Southwood Shared Resource Center with the following:

1038 (a) Comprehensive itemized inventories of mainframe
1039 hardware, support software, and peripherals.

1040 (b) A comprehensive itemized list and description of all
1041 contracts, including a copy of each contract, for mainframe
1042 hardware, operating and support software, peripherals, and
1043 services.

1044 (6) By December 31, 2008, after relevant vendor
1045 negotiations have been completed, the Southwood Shared Resource
1046 Center shall submit a plan for implementing mainframe
1047 consolidation to the center's board of trustees, the Agency for
1048 Enterprise Information Technology, the Governor and Cabinet, the
1049 President of the Senate, and the Speaker of the House of
1050 Representatives. The plan must include:

1051 (a) A description of the work effort, time, agency budget
1052 adjustments for the 2009-2010 fiscal year, and expenditures
1053 necessary to complete the consolidation.

1054 (b) An estimate of the long-term savings resulting from
1055 consolidation.

1056 (c) Any short-term costs or savings from consolidation.

1057 (7) By April 30, 2009, the following shall occur:



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1058 (a) The Southwood Shared Resource Center shall implement a
1059 cost-allocation plan for the purpose of establishing prices and
1060 total estimated costs for the remainder of the current fiscal
1061 year and the first full year the mainframe services will be
1062 provided to the mainframe agency.

1063 (b) The Southwood Shared Resource Center and the mainframe
1064 agencies shall establish service-level agreements.

1065 (8) In order to establish the appropriate budget authority
1066 to implement the consolidation of mainframe services within the
1067 Southwood Shared Resource Center:

1068 (a) As part of their 2009-2010 legislative budget request,
1069 each mainframe agency shall decrease full-time equivalent
1070 positions and transfer spending authority in the existing
1071 appropriation categories which would have been used to maintain
1072 and operate mainframe services to the appropriation category
1073 necessary to pay for mainframe services at the Southwood Shared
1074 Resource Center.

1075 (b) As part of its 2009-2010 legislative budget request,
1076 the Southwood Shared Resource Center shall request full-time
1077 equivalent positions, not to exceed the number of positions
1078 deleted in the mainframe agencies, and spending authority
1079 necessary to deliver mainframe services to each mainframe agency.

1080 Section 19. Section 282.20, Florida Statutes, is repealed.

1081 Section 20. Subsection (2) of section 282.322, Florida
1082 Statutes, is repealed.

1083 Section 21. This act shall take effect upon becoming a law.

1084
1085 ===== T I T L E A M E N D M E N T =====

1086 And the title is amended as follows:

1087 Delete everything before the enacting clause



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1088 | and insert:

1089 | A bill to be entitled
1090 | An act relating to the state data center system; amending
1091 | s. 14.204, F.S.; revising the duties and responsibilities
1092 | of the Agency for Enterprise Information Technology;
1093 | authorizing the agency to adopt rules; amending s.
1094 | 215.322, F.S.; requiring the Agency for Enterprise
1095 | Information Technology to review an agency's request to
1096 | accept credit, charge, or debit cards in payment of goods
1097 | and services and make recommendations to the Chief
1098 | Financial Officer; amending s. 216.235, F.S.; including
1099 | the executive director of the Agency for Enterprise
1100 | Information Technology on the State Innovation Committee;
1101 | requiring the agency to evaluate innovative investment
1102 | projects that involve information technology; amending s.
1103 | 282.003, F.S.; revising a short title; amending s.
1104 | 282.0041, F.S.; defining terms relating to information
1105 | resource management; amending s. 282.0055, F.S.;
1106 | conforming cross-references; amending s. 282.0056, F.S.;
1107 | revising provisions relating to the Agency for Enterprise
1108 | Information Technology's work plan; requiring an annual
1109 | plan; requiring a public hearing on the plan; requiring
1110 | the agency to annually report its achievements to the
1111 | Governor and Cabinet and the Legislature; creating s.
1112 | 282.201, F.S.; establishing a state data center system;
1113 | providing legislative intent; providing the duties of the
1114 | Agency for Enterprise Information Technology with respect
1115 | to the system; providing responsibilities; providing state
1116 | agency duties and limitations; authorizing the Agency for
1117 | Enterprise Information Technology to adopt rules; creating



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1118 s. 282.203, F.S.; establishing primary data centers;
1119 providing the duties of the center; providing that each
1120 center shall be headed by a board of trustees; providing
1121 for the membership of the board; providing for the duties
1122 of the board; creating s. 282.204, F.S.; providing for a
1123 workgroup to transition the Department of Children and
1124 Family Services into a primary data center; establishing
1125 the Northwood Shared Resource Center as a separate budget
1126 entity housed in the department for administrative
1127 purposes only by a certain date; providing for the center
1128 to be headed by a board of trustees; creating s. 282.205,
1129 F.S.; establishing the Southwood Shared Resource Center as
1130 a separate budget entity housed for administrative
1131 purposes only in the Department of Management Services;
1132 requiring the department and the center to identify
1133 information technology resources not related to the
1134 operation of the center; providing for the center to be
1135 headed by a board of trustees; amending s. 282.315, F.S.;
1136 revising the duties of the Agency Chief Information
1137 Officers Council with respect to the consolidation of
1138 computer services; amending s. 287.057, F.S.; requiring
1139 the Department of Management Services to consult with the
1140 Agency for Enterprise Information Technology with respect
1141 to procuring information technology commodities and
1142 contractual services; amending ss. 445.011, 445.045, and
1143 668.50, F.S., relating to workforce information systems
1144 and the Uniform Electronic Transaction Act; clarifying the
1145 duties of the Agency for Enterprise Information Technology
1146 and the Department of Management Services; providing for
1147 the transfer of state agency data center resources to a



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1148 primary data center; requiring the board of trustees of
1149 the primary data center to submit a plan relating to costs
1150 and resources; requiring user agencies to submit budget
1151 requests to accomplish the transfers; specifying the
1152 duties of the board of trustees of the data center;
1153 providing for the transfer of mainframe resources of the
1154 Department of Transportation and the Department of Highway
1155 Safety and Motor Vehicles to the Southwood Shared Resource
1156 Center; providing a timeframe for the transfer; requiring
1157 a service-level agreement for the transition and a plan;
1158 providing for the supervision of staff and ownership of
1159 resources; requiring budget amendments to redistribute
1160 resources between the state entities; repealing s. 282.20,
1161 F.S., relating to the Technology Resource Center;
1162 repealing s. 282.322(2), F.S., relating to a report
1163 concerning the special monitoring process for designated
1164 information resources management projects; providing an
1165 effective date.