

A bill to be entitled

An act relating to SUNCOM services; amending s. 282.0041, F.S.; providing and revising definitions; amending s. 282.702, F.S.; revising the powers and duties of the Department of Management Services; requiring the department to establish a network security perimeter and implement the Florida Information Resource Network; requiring the department to make certain network information available on its website and provide reports to the Governor and Legislature; amending ss. 282.703, 282.704, 282.705, 282.706, 282.707, and 282.708, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsections (16) through (28) of section 282.0041, Florida Statutes, are amended to read:

282.0041 Definitions.—As used in this chapter, the term:

(16) "Network security perimeter" means the network core routers, state firewalls, and enterprise intrusion prevention systems implemented to control access into internal closed user networks from nonauthorized sources.

~~(17)-(16)~~ "Performance metrics" means the measures of an organization's activities and performance.

27 (18)~~(17)~~ "Primary data center" means a data center that is
28 a recipient entity for consolidation of nonprimary data centers
29 and computing facilities and that is established by law.

30 (19)~~(18)~~ "Project" means an endeavor that has a defined
31 start and end point; is undertaken to create or modify a unique
32 product, service, or result; and has specific objectives that,
33 when attained, signify completion.

34 (20)~~(19)~~ "Risk analysis" means the process of identifying
35 security risks, determining their magnitude, and identifying
36 areas needing safeguards.

37 (21)~~(20)~~ "Service level" means the key performance
38 indicators (KPI) of an organization or service which must be
39 regularly performed, monitored, and achieved.

40 (22)~~(21)~~ "Service-level agreement" means a written
41 contract between a data center and a customer entity which
42 specifies the scope of services provided, service level, the
43 duration of the agreement, the responsible parties, and service
44 costs. A service-level agreement is not a rule pursuant to
45 chapter 120.

46 (23)~~(22)~~ "Standards" means required practices, controls,
47 components, or configurations established by an authority.

48 (24)~~(23)~~ "SUNCOM Network" means the enterprise data
49 transport service designed and procured by the department to
50 meet the needs of the state and state agencies ~~state enterprise~~
51 ~~telecommunications system that provides all methods of~~
52 ~~electronic or optical telecommunications beyond a single~~

53 ~~building or contiguous building complex and used by entities~~
54 ~~authorized as network users under this part.~~

55 (25) "SUNCOM services" means the portfolio of
56 telecommunications services that are designed, procured, and
57 delivered by the department to meet the needs of state agencies.

58 (26)~~(24)~~ "Telecommunications" means the transmission,
59 propagation, and reception of analog or digital information and
60 data science and technology of communication at a distance,
61 including the electronic systems, software, connections, and
62 components used in the process of sending or receiving
63 information used in the transmission or reception of
64 information.

65 (27)~~(25)~~ "Threat" means any circumstance or event that may
66 cause harm to the integrity, availability, or confidentiality of
67 information technology resources.

68 (28)~~(26)~~ "Total cost" means all costs associated with
69 information technology projects or initiatives, including, but
70 not limited to, value of hardware, software, service,
71 maintenance, incremental personnel, and facilities. Total cost
72 of a loan or gift of information technology resources to an
73 agency includes the fair market value of the resources.

74 (29)~~(27)~~ "Usage" means the billing amount charged by the
75 primary data center, less any pass-through charges, to the
76 customer entity.

77 (30)~~(28)~~ "Usage rate" means a customer entity's usage or
78 billing amount as a percentage of total usage.

79 Section 2. Subsections (1), (2), (12), and (13) of section
 80 282.702, Florida Statutes, are amended, and subsections (16) and
 81 (17) are added to that section, to read:

82 282.702 Powers and duties.—The Department of Management
 83 Services shall have the following powers, duties, and functions:

84 (1) To publish electronically the portfolio of SUNCOM
 85 services available from the department, including pricing
 86 information; the policies and procedures governing usage of
 87 available services; and a forecast of the department's
 88 priorities for each SUNCOM ~~telecommunications~~ service.

89 (2) To adopt technical standards by rule for SUNCOM
 90 services ~~the state telecommunications network~~ which ensure the
 91 interconnection and operational security of computer networks,
 92 telecommunications, and information systems of agencies.

93 (12) ~~Unless delegated to the agencies by the department,~~
 94 To manage and control the transmission of information
 95 transferred through, but not intercept or interpret,
 96 telecommunications within ~~the~~ SUNCOM services ~~Network~~ by:

97 (a) Establishing technical standards to physically
 98 interface with ~~the~~ SUNCOM services ~~Network~~.

99 (b) Specifying how telecommunications are transmitted
 100 within ~~the~~ SUNCOM services ~~Network~~.

101 (c) Controlling the routing of telecommunications within
 102 the SUNCOM Network.

103 (d) Establishing standards, policies, and procedures for
 104 access to and the security of the SUNCOM Network.

105 (e) Ensuring orderly and reliable telecommunications
106 services in accordance with the service level agreements
107 executed with state agencies.

108 (13) To plan, design, and conduct experiments for
109 telecommunications services, equipment, and technologies, and to
110 implement enhancements to SUNCOM services ~~in the state~~
111 ~~telecommunications network~~ if in the public interest and cost-
112 effective. Funding for such experiments must be derived from
113 SUNCOM services ~~Network service~~ revenues and may not exceed 2
114 percent of the amount to pay telecommunications service
115 providers in annual budget for the SUNCOM Network for any fiscal
116 year ~~or as provided in the General Appropriations Act~~. New
117 services offered as a result of this subsection may not affect
118 existing rates for facilities or services.

119 (16) To establish a network security perimeter as defined
120 in s. 282.0041 to prevent the disruption of information
121 transported through the SUNCOM Network and to prevent
122 unauthorized interception or interruption of information
123 transported through the SUNCOM Network.

124 (17) (a) To design, engineer, implement, manage, and
125 operate through state ownership, commercial leasing, contracted
126 services, or some combination thereof, the Florida Information
127 Resource Network pursuant to s. 1001.271.

128 (b) For those school districts using the Florida
129 Information Resource Network, the department must submit the
130 appropriate federal forms for receiving applicable federal

131 universal service support funds available through the Schools
 132 and Libraries Program, commonly cited as the E-rate program, of
 133 the federal Universal Service Fund administered by the Universal
 134 Service Administrative Company under direction of the Federal
 135 Communications Commission.

136 (c) For purposes of implementing and managing the Florida
 137 Information Resource Network, the department must comply with
 138 all applicable federal service provider requirements issued by
 139 the Schools and Libraries Program of the federal Universal
 140 Service Fund, as well as all other applicable federal laws,
 141 regulations, and policies regarding the security and privacy of
 142 student records and data.

143 (d) The department shall develop and make publicly
 144 available on its website an interactive geographical information
 145 system map at the census tract level that will monitor each
 146 school district's deployment of the Florida Information Resource
 147 Network. Beginning January 1, 2015, the department shall provide
 148 quarterly reports to the Governor, the President of the Senate,
 149 and the Speaker of the House of Representatives on the
 150 implementation status of the Florida Information Resource
 151 Network.

152 Section 3. Section 282.703, Florida Statutes, is amended
 153 to read:

154 282.703 SUNCOM services Network; exemptions from the
 155 required use.—

156 (1) ~~The~~ SUNCOM services, as defined in s. 282.0041, are

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157 available ~~Network is established within the department as the~~
158 ~~state enterprise telecommunications system for providing local~~
159 ~~and long distance communications services~~ to state agencies,
160 political subdivisions of the state, municipalities, and
161 nonprofit corporations pursuant to this part. ~~The~~ SUNCOM
162 services ~~Network~~ shall be developed to transmit all types of
163 telecommunications signals, including, but not limited to,
164 voice, data, video, image, and radio. State agencies shall
165 cooperate and assist in the development and joint use of SUNCOM
166 ~~telecommunications systems and services.~~

167 (2) The department shall design, engineer, implement,
168 manage, and operate through state ownership, commercial leasing,
169 contracted services, or some combination thereof, the
170 facilities, equipment, and contracts providing SUNCOM ~~Network~~
171 services, and shall develop a system of equitable billings and
172 charges for such ~~telecommunications~~ services.

173 (3) The department shall own, manage, and establish
174 standards for the telecommunications addressing and numbering
175 plans for ~~the~~ SUNCOM services ~~Network~~. This includes
176 distributing or revoking numbers and addresses to authorized
177 users of SUNCOM services ~~the network~~ and delegating or revoking
178 the delegation of management of subsidiary groups of numbers and
179 addresses to authorized users of SUNCOM services ~~the network~~.

180 (4) The department shall maintain a directory of
181 information and services which provides the names, phone
182 numbers, and e-mail addresses for employees, agencies, and

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183 network devices that are served, in whole or in part, by ~~the~~
184 SUNCOM services ~~Network~~. State agencies and political
185 subdivisions of the state shall cooperate with the department by
186 providing timely and accurate directory information in the
187 manner established by the department.

188 (5) All state agencies shall use ~~the~~ SUNCOM services
189 ~~Network~~ for agency telecommunications services as the services
190 become available; however, an agency is not relieved of
191 responsibility for maintaining telecommunications services
192 necessary for effective management of its programs and
193 functions. The department may provide SUNCOM ~~such communications~~
194 services to a state university if requested by the university.

195 (a) If a SUNCOM ~~Network~~ service does not meet the
196 telecommunications requirements of an agency, the agency must
197 notify the department in writing and detail the requirements for
198 that service. If the department is unable to meet an agency's
199 requirements by enhancing the SUNCOM ~~Network~~ service, the
200 department may grant the agency an exemption from the required
201 use of specified SUNCOM ~~Network~~ services.

202 (b) Unless an exemption is ~~has been~~ granted by the
203 department, ~~effective October 1, 2010,~~ all customers of the a
204 state ~~primary~~ data center, excluding state universities, must
205 use the shared SUNCOM ~~Network~~ ~~telecommunications~~ services
206 connecting the state ~~primary~~ data center to SUNCOM services for
207 all telecommunications needs in accordance with department
208 rules.

209 1. Upon discovery of customer noncompliance with this
 210 paragraph, the department shall provide the affected customer
 211 with a schedule for transferring to the shared
 212 ~~telecommunications services provided by the~~ SUNCOM Network and
 213 an estimate of all associated costs. The state primary data
 214 centers and their customers shall cooperate with the department
 215 to accomplish the transfer.

216 2. Customers may request an exemption from this paragraph
 217 in the same manner as authorized in paragraph (a).

218 (6) This section may not be construed to require a state
 219 university to use the SUNCOM ~~Network communication~~ services.

220 Section 4. Section 282.704, Florida Statutes, is amended
 221 to read:

222 282.704 Use of ~~state~~ SUNCOM services ~~Network~~ by
 223 municipalities.—Any municipality may request the department to
 224 provide any or all of the SUNCOM ~~Network's portfolio of~~
 225 ~~communications~~ services upon such terms and conditions as the
 226 department may establish. The requesting municipality shall pay
 227 its share of installation and recurring costs according to the
 228 published rates for the SUNCOM ~~Network~~ services and as invoiced
 229 by the department. Such municipality shall also pay for any
 230 requested modifications to existing SUNCOM ~~Network~~ services, if
 231 any charges apply.

232 Section 5. Subsections (1), (2), (3), and (4) of section
 233 282.705, Florida Statutes, are amended to read:

234 282.705 Use of ~~state~~ SUNCOM services ~~Network~~ by nonprofit

235 corporations.—

236 (1) The department shall provide a means whereby private
 237 nonprofit corporations under contract with state agencies or
 238 political subdivisions of the state may use the ~~state~~ SUNCOM
 239 services Network, subject to the limitations in this section. In
 240 order to qualify to use the ~~state~~ SUNCOM services Network, a
 241 nonprofit corporation shall:

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

245 (b) Receive only a small portion of its total revenues
 246 from any source other than a state agency, a municipality, or a
 247 political subdivision during the time the SUNCOM ~~Network~~
 248 services are requested.

249 (2) Each nonprofit corporation seeking authorization to
 250 use the ~~state~~ SUNCOM services Network shall provide to the
 251 department, upon request, proof of compliance with subsection
 252 (1).

253 (3) Nonprofit corporations established pursuant to general
 254 law and an association of municipal governments which is wholly
 255 owned by the municipalities are eligible to use the ~~state~~ SUNCOM
 256 services Network, subject to the terms and conditions of the
 257 department.

258 (4) Institutions qualified to participate in the William
 259 L. Boyd, IV, Florida Resident Access Grant Program pursuant to
 260 s. 1009.89 are eligible to use the ~~state~~ SUNCOM services

261 ~~Network~~, subject to the terms and conditions of the department.
 262 Such entities are not required to satisfy the other criteria of
 263 this section.

264 Section 6. Section 282.706, Florida Statutes, is amended
 265 to read:

266 282.706 Use of SUNCOM services ~~Network~~ by libraries.—The
 267 department may provide the SUNCOM ~~Network~~ services to any
 268 library in the state, including libraries in public schools,
 269 community colleges, state universities, and nonprofit private
 270 postsecondary educational institutions, and libraries owned and
 271 operated by municipalities and political subdivisions. This
 272 section may not be construed to require a state university
 273 library to use the SUNCOM ~~Network~~ services.

274 Section 7. Subsections (1) and (2) of section 282.707,
 275 Florida Statutes, are amended to read:

276 282.707 SUNCOM services ~~Network~~; criteria for usage.—

277 (1) The department and customers served by the department
 278 shall periodically review the qualifications of subscribers
 279 using the ~~state~~ SUNCOM services ~~Network~~ and terminate services
 280 provided to a facility not qualified under this part or rules
 281 adopted hereunder. In the event of nonpayment of invoices by
 282 subscribers whose SUNCOM ~~Network~~ invoices are paid from sources
 283 other than legislative appropriations, such nonpayment
 284 represents good and sufficient reason to terminate service.

285 (2) The department shall adopt rules for implementing and
 286 operating the ~~state~~ SUNCOM services ~~Network~~, which include

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287 procedures for withdrawing and restoring authorization to use
288 the ~~state~~ SUNCOM services Network. Such rules shall provide a
289 minimum of 30 days' notice to affected parties before
290 terminating voice communications service.

291 Section 8. Section 282.708, Florida Statutes, is amended
292 to read:

293 282.708 Emergency assumption of control.—In the event of
294 an emergency, the Governor may direct emergency management
295 assumption of control over all or part of the SUNCOM services
296 ~~state communications system~~.

297 Section 9. This act shall take effect July 1, 2014.