

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Grant offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Between lines 280 and 281, insert:

5 (19) In consultation with other state agencies and giving
6 consideration to the feasibility study conducted pursuant to s.
7 30, chapter 2014-221, Laws of Florida:

8 (a) Establish a governance structure for managing state
9 government data in a manner that promotes interoperability and
10 openness; and

11 (b) Establish a catalog of state government data which
12 documents the acceptable use of, security and compliance
13 requirements for, sharing agreements for, and format and methods
14 available to access the data.

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15 (20) Consult with each state agency on the development of
16 the agency's legislative budget request for the use of
17 commercial cloud computing services, current plans for the
18 expansion of cloud computing to leverage the utility-based
19 model, security benefits of transitioning to cloud computing,
20 and any factors delaying or inhibiting the expansion of cloud
21 computing usage. All state agencies must evaluate and consider
22 commercial cloud computing services before making any new
23 information technology or telecommunications investment.

24 Section 4. Paragraph (d) of subsection (2) of section
25 282.201, Florida Statutes, is amended, and paragraph (g) is
26 added to that subsection, to read:

27 282.201 State data center.—The state data center is
28 established within the Agency for State Technology and shall
29 provide data center services that are hosted on premises or
30 externally through a third-party provider as an enterprise
31 information technology service. The provision of services must
32 comply with applicable state and federal laws, regulations, and
33 policies, including all applicable security, privacy, and
34 auditing requirements.

35 (2) STATE DATA CENTER DUTIES.—The state data center shall:

36 (d) Enter into a service-level agreement with each
37 customer entity to provide the required type and level of
38 service or services. If a customer entity fails to execute an
39 agreement within 60 days after commencement of a service, the
40 state data center may cease service. A service-level agreement

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41 may not have an original ~~a~~ term exceeding 3 years, except that
42 it may be extended for up to 6 months. If the state data center
43 and an existing customer entity execute an extension or fail to
44 execute a new service-level agreement before the expiration of
45 an existing service-level agreement, the state data center shall
46 submit a report to the Executive Office of the Governor within 5
47 days after the date of the executed extension, or 15 days before
48 the scheduled expiration date of the service-level agreement,
49 which explains the specific issues preventing execution of a new
50 service-level agreement and describing the plan and schedule for
51 resolving those issues. Each service-level agreement, and at a
52 minimum, must:

- 53 1. Identify the parties and their roles, duties, and
54 responsibilities under the agreement.
- 55 2. State the duration of the contract term and specify the
56 conditions for renewal.
- 57 3. Identify the scope of work.
- 58 4. Identify the products or services to be delivered with
59 sufficient specificity to permit an external financial or
60 performance audit.
- 61 5. Establish the services to be provided, the business
62 standards that must be met for each service, the cost of each
63 service, and the metrics and processes by which the business
64 standards for each service are to be objectively measured and
65 reported.

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66 6. Provide a timely billing methodology to recover the
67 cost of services provided to the customer entity pursuant to s.
68 215.422.

69 7. Provide a procedure for modifying the service-level
70 agreement based on changes in the type, level, and cost of a
71 service.

72 8. Include a right-to-audit clause to ensure that the
73 parties to the agreement have access to records for audit
74 purposes during the term of the service-level agreement.

75 9. Provide that a service-level agreement may be
76 terminated by either party for cause only after giving the other
77 party ~~and the Agency for State Technology~~ notice in writing of
78 the cause for termination and an opportunity for the other party
79 to resolve the identified cause within a reasonable period.

80 10. Provide for mediation of disputes by the Division of
81 Administrative Hearings pursuant to s. 120.573.

82 (g) Plan, design, and conduct testing with information
83 technology resources and implement service enhancements that are
84 within the scope of the services provided by the state data
85 center, if cost-effective.

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D I R E C T O R Y A M E N D M E N T

88 Remove lines 251-252 and insert:
89 Statutes, is renumbered as subsection (21), and new subsections
90 (18), (19), and (20) are added to that section to read:
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T I T L E A M E N D M E N T

Between lines 21 and 22, insert:
requiring the agency to establish a governance structure for managing state government data and to establish a certain catalog of such data; requiring the agency to consult with state agencies on specified factors relating to cloud computing; requiring state agencies to evaluate and consider cloud computing services before making certain investments; amending s. 282.201, F.S.; revising requirements for a certain service-level agreement entered into by the state data center within the Agency for State Technology with a customer entity; authorizing extension of an original agreement to a specified time; requiring the state data center to submit a specified report to the Executive Office of the Governor under certain circumstances; deleting a requirement for a certain notice to be given to the agency before an agreement may be terminated; requiring the state data center to plan, design, and conduct testing with information technology resources and implement certain service enhancements if cost-effective;

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