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576-04153-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to state technology; amending s.
20.61, F.S.; establishing a chief data officer within
the Agency for State Technology who shall be appointed
by the executive director; amending s. 282.0051, F.S.;
authorizing the Agency for State Technology to oversee
the transition of various licenses and identification
cards to an optional digital proof of the licenses and
identification cards for a specified fee; requiring
the agency to develop standards for the digitization
of individual licenses and identification cards;
requiring the agency to develop a central digital
platform that can store or access data for each type
of digital proof of license and identification card;
requiring state agencies, commissions, and departments
to consult with the agency under certain
circumstances; authorizing the agency to contract with
a third party; requiring the agency to direct the
chief data officer 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.
322.032, F.S.; requiring the Department of Highway
Safety and Motor Vehicles, in coordination with the



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28 Agency for State Technology, to develop, rather than
29 begin to review and prepare for the development of, a
30 system for issuing an optional digital proof of driver
31 license for a specified fee, subject to certain
32 requirements; providing for deposit of such fees;
33 authorizing the department, in coordination with the
34 agency, to adopt rules to ensure valid authentication
35 of digital proof of driver licenses; providing
36 criteria for digital proof of driver licenses;
37 requiring the department, in coordination with the
38 agency, to implement a digital proof of driver license
39 pilot program by a specified date, subject to certain
40 requirements; requiring the department to provide a
41 report to the Governor and the Legislature by a
42 specified date; adding a penalty for possession of
43 false digital proof of driver license; providing
44 appropriations; providing an effective date.

45
46 Be It Enacted by the Legislature of the State of Florida:

47
48 Section 1. Paragraph (f) is added to subsection (2) of
49 section 20.61, Florida Statutes, to read:

50 20.61 Agency for State Technology.—The Agency for State
51 Technology is created within the Department of Management
52 Services. The agency is a separate budget program and is not
53 subject to control, supervision, or direction by the Department
54 of Management Services, including, but not limited to,
55 purchasing, transactions involving real or personal property,
56 personnel, or budgetary matters.



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57 (2) The following positions are established within the
58 agency, all of whom shall be appointed by the executive
59 director:

60 (f) Chief data officer.

61 Section 2. Present subsections (17) and (18) of section
62 282.0051, Florida Statutes, are redesignated as subsections (20)
63 and (21), respectively, and new subsections (17), (18), and (19)
64 are added to that section, to read:

65 282.0051 Agency for State Technology; powers, duties, and
66 functions.—The Agency for State Technology shall have the
67 following powers, duties, and functions:

68 (17) Oversee the transition of licenses and identification
69 cards to digital proof of licenses and identification cards to
70 be issued by state agencies, commissions, and departments at the
71 option of licenseholders and cardholders upon payment of a \$5
72 fee. The agency shall develop standards for the digitization of
73 individual types of licenses and identification cards when
74 digital proofs of those licenses and identification cards are
75 authorized by law. The agency shall also develop a central
76 digital platform that can store or access data for each type of
77 digital proof of license and identification card. State
78 agencies, commissions, and departments must consult with the
79 agency before contracting with any third-party entity to develop
80 digital proof of license or identification card. If any state
81 agency, commission, or department seeks to develop its own
82 digital proof of license or identification card without
83 contracting services to a third party, the agency shall develop
84 standards for such digital proof of license or identification
85 card and must be consulted in the development of such license or



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86 identification card. The agency may contract with a third party
87 to assist in the fulfillment of the requirements of this
88 subsection.

89 (18) In consultation with other state agencies and giving
90 consideration to the feasibility study conducted pursuant to s.
91 30, chapter 2014-221, Laws of Florida, direct the chief data
92 officer to:

93 (a) Establish a governance structure for managing state
94 government data in a manner that promotes interoperability and
95 openness; and

96 (b) Establish a catalog of state government data which
97 documents the acceptable use of, security and compliance
98 requirements for, sharing agreements for, and format and methods
99 available to access the data.

100 (19) Consult with each state agency on the development of
101 the agency's legislative budget request for the use of
102 commercial cloud computing services, current plans for the
103 expansion of cloud computing to leverage the utility-based
104 model, security benefits of transitioning to cloud computing,
105 and any factors delaying or inhibiting the expansion of cloud
106 computing usage. All state agencies must evaluate and consider
107 commercial cloud computing services before making any new
108 information technology or telecommunications investment.

109 Section 3. Section 322.032, Florida Statutes, is amended to
110 read:

111 322.032 Digital proof of driver license.—

112 (1) The department, in coordination with the Agency for
113 State Technology, shall develop ~~begin to review and prepare for~~
114 ~~the development of~~ a secure and uniform system for issuing an



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115 optional digital proof of driver license for a fee of \$5. Such
116 fees shall be deposited into the Highway Safety Operating Trust
117 Fund. The department may contract with one or more private
118 entities to develop a digital proof of driver license system
119 pursuant to s. 282.0051(17).

120 (2) ~~The~~ Digital proof of driver license developed by the
121 department or by an entity contracted by the department must be
122 in ~~such~~ a format that allows as to allow law enforcement to
123 verify the authenticity of such ~~the~~ digital proof ~~of driver~~
124 license. The department, in coordination with the Agency for
125 State Technology, may adopt rules to ensure valid authentication
126 of digital proof of driver licenses by law enforcement.

127 (3) Digital proof of driver license must display the same
128 required information about the licenseholder as does a driver
129 license under this chapter.

130 (4)~~(3)~~ A person may not be issued a digital proof of driver
131 license until he or she has satisfied all of the requirements of
132 this chapter for issuance of a physical driver license ~~as~~
133 ~~provided in this chapter.~~

134 (5) The department, in coordination with the Agency for
135 State Technology, shall implement a digital proof of driver
136 license pilot program by July 1, 2017, using the developed
137 secure and uniform system. Program participants must be limited
138 to elected state officials and state employee volunteers. The
139 department shall provide a report on the results of the pilot
140 program to the Governor, the President of the Senate, and the
141 Speaker of the House of Representatives by March 1, 2018.

142 (6)~~(4)~~ A person who:

143 (a) Manufactures a false digital proof of driver license



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144 commits a felony of the third degree, punishable as provided in
145 s. 775.082, s. 775.083, or s. 775.084.

146 (b) Possesses a false digital proof of driver license
147 commits a misdemeanor of the second degree, punishable as
148 provided in s. 775.082 or s. 775.083.

149 Section 4. For the 2016-2017 fiscal year, the sums of
150 \$146,001 in recurring funds and \$3,999 in nonrecurring funds are
151 appropriated from the General Revenue Fund to the Agency for
152 State Technology, and one full-time equivalent position with
153 associated salary rate of 100,000 is authorized, for the purpose
154 of implementing the position of chief data officer established
155 by the amendment to s. 20.61, Florida Statutes.

156 Section 5. For the 2016-2017 fiscal year, the sum of
157 \$500,000 in nonrecurring funds is appropriated from the General
158 Revenue Fund to the Department of Highway Safety and Motor
159 Vehicles for the purpose of implementing the pilot program
160 created by the amendment to s. 322.032, Florida Statutes.

161 Section 6. This act shall take effect October 1, 2016.