



699884

LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (17) and (18) of section
282.0051, Florida Statutes, are redesignated as subsections (19)
and (20), respectively, and new subsections (17) and (18) are
added to that section, to read:

282.0051 Agency for State Technology; powers, duties, and
functions.—The Agency for State Technology shall have the



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11 following powers, duties, and functions:

12 (17) In consultation with other state agencies and giving
13 consideration to the feasibility study conducted pursuant to s.
14 30, chapter 2014-221, Laws of Florida:

15 (a) Establish a governance structure for managing state
16 government data in a manner that promotes interoperability and
17 openness; and

18 (b) Establish a catalog of state government data which
19 documents the acceptable use of, security and compliance
20 requirements for, sharing agreements for, and format and methods
21 available to access the data.

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

31 Section 2. Paragraph (d) of subsection (2) of section
32 282.201, Florida Statutes, is amended, and paragraph (g) is
33 added to that subsection, to read:

34 282.201 State data center.—The state data center is
35 established within the Agency for State Technology and shall
36 provide data center services that are hosted on premises or
37 externally through a third-party provider as an enterprise
38 information technology service. The provision of services must
39 comply with applicable state and federal laws, regulations, and



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40 policies, including all applicable security, privacy, and
41 auditing requirements.

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

43 (d) Enter into a service-level agreement with each customer
44 entity to provide the required type and level of service or
45 services. If a customer entity fails to execute an agreement
46 within 60 days after commencement of a service, the state data
47 center may cease service. A service-level agreement may not have
48 an original a term exceeding 3 years, except that it may be
49 extended for up to 6 months. If the state data center and an
50 existing customer entity execute an extension or fail to execute
51 a new service-level agreement before the expiration of an
52 existing service-level agreement, the state data center shall
53 submit a report to the Executive Office of the Governor within 5
54 days after the date of the executed extension, or 15 days before
55 the scheduled expiration date of the service-level agreement,
56 which explains the specific issues preventing execution of a new
57 service-level agreement and describing the plan and schedule for
58 resolving those issues. Each service-level agreement, and at a
59 minimum, must:

60 1. Identify the parties and their roles, duties, and
61 responsibilities under the agreement.

62 2. State the duration of the contract term and specify the
63 conditions for renewal.

64 3. Identify the scope of work.

65 4. Identify the products or services to be delivered with
66 sufficient specificity to permit an external financial or
67 performance audit.

68 5. Establish the services to be provided, the business



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69 standards that must be met for each service, the cost of each
70 service, and the metrics and processes by which the business
71 standards for each service are to be objectively measured and
72 reported.

73 6. Provide a timely billing methodology to recover the cost
74 of services provided to the customer entity pursuant to s.
75 215.422.

76 7. Provide a procedure for modifying the service-level
77 agreement based on changes in the type, level, and cost of a
78 service.

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

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

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

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

93 Section 3. This act shall take effect October 1, 2016.

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95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 Delete everything before the enacting clause



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98 and insert:

99 A bill to be entitled
100 An act relating to state technology; amending s.
101 282.0051, F.S.; requiring the agency to establish a
102 governance structure for managing state government
103 data and to establish a certain catalog of such data;
104 requiring the agency to consult with state agencies on
105 specified factors relating to cloud computing;
106 requiring state agencies to evaluate and consider
107 cloud computing services before making certain
108 investments; amending s. 282.201, F.S.; revising
109 requirements for a certain service-level agreement
110 entered into by the state data center within the
111 Agency for State Technology with a customer entity;
112 authorizing extension of an original agreement to a
113 specified time; requiring the state data center to
114 submit a specified report to the Executive Office of
115 the Governor under certain circumstances; deleting a
116 requirement for a certain notice to be given to the
117 agency before an agreement may be terminated;
118 requiring the state data center to plan, design, and
119 conduct testing with information technology resources
120 and implement certain service enhancements if cost-
121 effective; providing an effective date.