

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Government Operations &
 2 Technology Appropriations Subcommittee
 3 Representative Grant, J. offered the following:
 4

Amendment (with title amendment)

6 Remove lines 67-602 and insert:

7 Section 1. Subsection (2) of section 20.22, Florida
 8 Statutes, is amended to read:

9 20.22 Department of Management Services.—There is created
 10 a Department of Management Services.

11 (2) ~~The following divisions and programs within the~~
 12 Department of Management Services shall consist of the following
 13 ~~are established:~~

14 (a) The Facilities Program.

15 (b) The Division of Telecommunications ~~State Technology,~~
 16 ~~the director of which is appointed by the secretary of the~~

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17 ~~department and shall serve as the state chief information~~
18 ~~officer. The state chief information officer must be a proven,~~
19 ~~effective administrator who must have at least 10 years of~~
20 ~~executive-level experience in the public or private sector,~~
21 ~~preferably with experience in the development of information~~
22 ~~technology strategic planning and the development and~~
23 ~~implementation of fiscal and substantive information technology~~
24 ~~policy and standards.~~

25 (c) The Workforce Program.

26 (d)1. The Support Program.

27 2. The Federal Property Assistance Program.

28 (e) The Administration Program.

29 (f) The Division of Administrative Hearings.

30 (g) The Division of Retirement.

31 (h) The Division of State Group Insurance.

32 (i) The Florida Digital Service.

33 Section 2. Section 282.0041, Florida Statutes, is amended
34 to read:

35 282.0041 Definitions.—As used in this chapter, the term:

36 (1) "Agency assessment" means the amount each customer
37 entity must pay annually for services from the Department of
38 Management Services and includes administrative and data center
39 services costs.

40 (2) "Agency data center" means agency space containing 10
41 or more physical or logical servers.

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42 (3) "Breach" has the same meaning as provided in s.
43 501.171.

44 (4) "Business continuity plan" means a collection of
45 procedures and information designed to keep an agency's critical
46 operations running during a period of displacement or
47 interruption of normal operations.

48 (5) "Cloud computing" has the same meaning as provided in
49 Special Publication 800-145 issued by the National Institute of
50 Standards and Technology.

51 (6) "Computing facility" or "agency computing facility"
52 means agency space containing fewer than a total of 10 physical
53 or logical servers, but excluding single, logical-server
54 installations that exclusively perform a utility function such
55 as file and print servers.

56 (7) "Credential service provider" means a provider
57 competitively procured by the department to supply secure
58 identity management and verification services based on open
59 standards to qualified entities.

60 (8)~~(7)~~ "Customer entity" means an entity that obtains
61 services from the Department of Management Services.

62 (9)~~(8)~~ "Data" means a subset of structured information in
63 a format that allows such information to be electronically
64 retrieved and transmitted.

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65 (10) "Data-call" means an electronic transaction with the
66 credential service provider that verifies the authenticity of a
67 digital identity by querying enterprise data.

68 ~~(11)(9)~~ "Department" means the Department of Management
69 Services.

70 ~~(12)(10)~~ "Disaster recovery" means the process, policies,
71 procedures, and infrastructure related to preparing for and
72 implementing recovery or continuation of an agency's vital
73 technology infrastructure after a natural or human-induced
74 disaster.

75 (13) "Electronic" means technology having electrical,
76 digital, magnetic, wireless, optical, electromagnetic, or
77 similar capabilities.

78 (14) "Electronic credential" means an electronic
79 representation of a physical driver license or identification
80 card that is viewable in an electronic format and is capable of
81 being verified and authenticated.

82 (15) "Electronic credential provider" means a qualified
83 entity contracted with the department to provide electronic
84 credentials to eligible driver license or identification card
85 holders.

86 (16) "Enterprise" means the collection of state agencies.
87 The term includes the Department of Legal Affairs, the
88 Department of Agriculture and Consumer Services, the Department
89 of Financial Services, and the judicial branch.

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90 (17) "Enterprise architecture" means a comprehensive
91 operational framework that contemplates the needs and assets of
92 the enterprise to support interoperability across state
93 government.

94 (18)~~(11)~~ "Enterprise information technology service" means
95 an information technology service that is used in all agencies
96 or a subset of agencies and is established in law to be
97 designed, delivered, and managed at the enterprise level.

98 (19)~~(12)~~ "Event" means an observable occurrence in a
99 system or network.

100 (20)~~(13)~~ "Incident" means a violation or imminent threat
101 of violation, whether such violation is accidental or
102 deliberate, of information technology resources, security,
103 policies, or practices. An imminent threat of violation refers
104 to a situation in which the state agency has a factual basis for
105 believing that a specific incident is about to occur.

106 (21)~~(14)~~ "Information technology" means equipment,
107 hardware, software, firmware, programs, systems, networks,
108 infrastructure, media, and related material used to
109 automatically, electronically, and wirelessly collect, receive,
110 access, transmit, display, store, record, retrieve, analyze,
111 evaluate, process, classify, manipulate, manage, assimilate,
112 control, communicate, exchange, convert, converge, interface,
113 switch, or disseminate information of any kind or form.

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114 ~~(22)-(15)~~ "Information technology policy" means a definite
115 course or method of action selected from among one or more
116 alternatives that guide and determine present and future
117 decisions.

118 ~~(23)-(16)~~ "Information technology resources" has the same
119 meaning as provided in s. 119.011.

120 ~~(24)-(17)~~ "Information technology security" means the
121 protection afforded to an automated information system in order
122 to attain the applicable objectives of preserving the integrity,
123 availability, and confidentiality of data, information, and
124 information technology resources.

125 ~~(25)~~ "Interoperability" means the technical ability to
126 share and use data across and throughout the enterprise.

127 ~~(26)-(18)~~ "Open data" means data collected or created by a
128 state agency and structured in a way that enables the data to be
129 fully discoverable and usable by the public. The term does not
130 include data that are restricted from public distribution based
131 on federal or state privacy, confidentiality, and security laws
132 and regulations or data for which a state agency is statutorily
133 authorized to assess a fee for its distribution.

134 ~~(27)-(19)~~ "Performance metrics" means the measures of an
135 organization's activities and performance.

136 ~~(28)-(20)~~ "Project" means an endeavor that has a defined
137 start and end point; is undertaken to create or modify a unique

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138 product, service, or result; and has specific objectives that,
139 when attained, signify completion.

140 ~~(29)-(21)~~ "Project oversight" means an independent review
141 and analysis of an information technology project that provides
142 information on the project's scope, completion timeframes, and
143 budget and that identifies and quantifies issues or risks
144 affecting the successful and timely completion of the project.

145 (30) "Qualified entity" means a public or private entity
146 or individual that enters into a binding agreement with the
147 department, meets usage criteria, agrees to terms and
148 conditions, and is subsequently and prescriptively authorized by
149 the department to access data under the terms of that agreement.

150 ~~(31)-(22)~~ "Risk assessment" means the process of
151 identifying security risks, determining their magnitude, and
152 identifying areas needing safeguards.

153 ~~(32)-(23)~~ "Service level" means the key performance
154 indicators (KPI) of an organization or service which must be
155 regularly performed, monitored, and achieved.

156 ~~(33)-(24)~~ "Service-level agreement" means a written
157 contract between the Department of Management Services and a
158 customer entity which specifies the scope of services provided,
159 service level, the duration of the agreement, the responsible
160 parties, and service costs. A service-level agreement is not a
161 rule pursuant to chapter 120.

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162 ~~(34)(25)~~ "Stakeholder" means a person, group,
163 organization, or state agency involved in or affected by a
164 course of action.

165 ~~(35)(26)~~ "Standards" means required practices, controls,
166 components, or configurations established by an authority.

167 ~~(36)(27)~~ "State agency" means any official, officer,
168 commission, board, authority, council, committee, or department
169 of the executive branch of state government; the Justice
170 Administrative Commission; and the Public Service Commission.
171 The term does not include university boards of trustees or state
172 universities. As used in part I of this chapter, except as
173 otherwise specifically provided, the term does not include the
174 Department of Legal Affairs, the Department of Agriculture and
175 Consumer Services, or the Department of Financial Services.

176 ~~(37)(28)~~ "SUNCOM Network" means the state enterprise
177 telecommunications system that provides all methods of
178 electronic or optical telecommunications beyond a single
179 building or contiguous building complex and used by entities
180 authorized as network users under this part.

181 ~~(38)(29)~~ "Telecommunications" means the science and
182 technology of communication at a distance, including electronic
183 systems used in the transmission or reception of information.

184 ~~(39)(30)~~ "Threat" means any circumstance or event that has
185 the potential to adversely impact a state agency's operations or
186 assets through an information system via unauthorized access,

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187 destruction, disclosure, or modification of information or
188 denial of service.

189 ~~(40)-(31)~~ "Variance" means a calculated value that
190 illustrates how far positive or negative a projection has
191 deviated when measured against documented estimates within a
192 project plan.

193 Section 3. Section 282.0051, Florida Statutes, is amended
194 to read:

195 282.0051 Florida Digital Service ~~Department of Management~~
196 ~~Services; powers, duties, and functions.~~ There is established
197 the Florida Digital Service within the department to create
198 innovative solutions that securely modernize state government,
199 achieve value through digital transformation and
200 interoperability, and fully support the cloud-first policy as
201 specified in s. 282.206.

202 (1) The Florida Digital Service ~~department~~ shall have the
203 following powers, duties, and functions:

204 ~~(a)-(1)~~ Develop and publish information technology policy
205 for the management of the state's information technology
206 resources.

207 ~~(b)-(2)~~ Establish and publish information technology
208 architecture standards to provide for the most efficient use of
209 ~~the state's~~ information technology resources and to ensure
210 compatibility and alignment with the needs of state agencies.

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211 The Florida Digital Service department shall assist state
212 agencies in complying with the standards.

213 ~~(c)(3)~~ Establish project management and oversight
214 standards with which state agencies must comply when
215 implementing projects that have an information technology
216 component projects. The Florida Digital Service department shall
217 provide training opportunities to state agencies to assist in
218 the adoption of the project management and oversight standards.
219 To support data-driven decisionmaking, the standards must
220 include, but are not limited to:

221 ~~1.(a)~~ Performance measurements and metrics that
222 objectively reflect the status of a project with an information
223 technology component project based on a defined and documented
224 project scope, cost, and schedule.

225 ~~2.(b)~~ Methodologies for calculating acceptable variances
226 in the projected versus actual scope, schedule, or cost of a
227 project with an information technology component project.

228 ~~3.(e)~~ Reporting requirements, including requirements
229 designed to alert all defined stakeholders that a project with
230 an information technology component project has exceeded
231 acceptable variances defined and documented in a project plan.

232 ~~4.(d)~~ Content, format, and frequency of project updates.

233 ~~(d)(4)~~ Perform project oversight on all state agency
234 ~~information technology~~ projects that have an information
235 technology component with a total project cost costs of \$10

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236 million or more and that are funded in the General
237 Appropriations Act or any other law. The Florida Digital Service
238 ~~department~~ shall report at least quarterly to the Executive
239 Office of the Governor, the President of the Senate, and the
240 Speaker of the House of Representatives on any project with an
241 information technology component ~~project~~ that the Florida
242 Digital Service ~~department~~ identifies as high-risk due to the
243 project exceeding acceptable variance ranges defined and
244 documented in a project plan. The report must include a risk
245 assessment, including fiscal risks, associated with proceeding
246 to the next stage of the project, and a recommendation for
247 corrective actions required, including suspension or termination
248 of the project.

249 (e)-(5) Identify opportunities for standardization and
250 consolidation of information technology services that support
251 interoperability and the cloud-first policy as specified in s.
252 282.206, business functions and operations, including
253 administrative functions such as purchasing, accounting and
254 reporting, cash management, and personnel, and that are common
255 across state agencies. The Florida Digital Service ~~department~~
256 shall biennially on April 1 provide recommendations for
257 standardization and consolidation to the Executive Office of the
258 Governor, the President of the Senate, and the Speaker of the
259 House of Representatives.

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260 (f)~~(6)~~ Establish best practices for the procurement of
261 information technology products and cloud-computing services in
262 order to reduce costs, increase the quality of data center
263 services, or improve government services.

264 (g)~~(7)~~ Develop standards for information technology
265 reports and updates, including, but not limited to, operational
266 work plans, project spend plans, and project status reports, for
267 use by state agencies.

268 (h)~~(8)~~ Upon request, assist state agencies in the
269 development of information technology-related legislative budget
270 requests.

271 (i)~~(9)~~ Conduct annual assessments of state agencies to
272 determine compliance with all information technology standards
273 and guidelines developed and published by the Florida Digital
274 Service ~~department~~ and provide results of the assessments to the
275 Executive Office of the Governor, the President of the Senate,
276 and the Speaker of the House of Representatives.

277 (j)~~(10)~~ Provide operational management and oversight of
278 the state data center established pursuant to s. 282.201, which
279 includes:

280 1.~~(a)~~ Implementing industry standards and best practices
281 for the state data center's facilities, operations, maintenance,
282 planning, and management processes.

283 2.~~(b)~~ Developing and implementing cost-recovery or other
284 payment mechanisms that recover the full direct and indirect

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285 cost of services through charges to applicable customer
286 entities. Such cost-recovery or other payment mechanisms must
287 comply with applicable state and federal regulations concerning
288 distribution and use of funds and must ensure that, for any
289 fiscal year, no service or customer entity subsidizes another
290 service or customer entity.

291 ~~3.(e)~~ Developing and implementing appropriate operating
292 guidelines and procedures necessary for the state data center to
293 perform its duties pursuant to s. 282.201. The guidelines and
294 procedures must comply with applicable state and federal laws,
295 regulations, and policies and conform to generally accepted
296 governmental accounting and auditing standards. The guidelines
297 and procedures must include, but need not be limited to:

298 ~~a.1.~~ Implementing a consolidated administrative support
299 structure responsible for providing financial management,
300 procurement, transactions involving real or personal property,
301 human resources, and operational support.

302 ~~b.2.~~ Implementing an annual reconciliation process to
303 ensure that each customer entity is paying for the full direct
304 and indirect cost of each service as determined by the customer
305 entity's use of each service.

306 ~~c.3.~~ Providing rebates that may be credited against future
307 billings to customer entities when revenues exceed costs.

308 ~~d.4.~~ Requiring customer entities to validate that
309 sufficient funds exist in the appropriate data processing

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310 appropriation category or will be transferred into the
311 appropriate data processing appropriation category before
312 implementation of a customer entity's request for a change in
313 the type or level of service provided, if such change results in
314 a net increase to the customer entity's cost for that fiscal
315 year.

316 ~~e.5.~~ By November 15 of each year, providing to the Office
317 of Policy and Budget in the Executive Office of the Governor and
318 to the chairs of the legislative appropriations committees the
319 projected costs of providing data center services for the
320 following fiscal year.

321 ~~f.6.~~ Providing a plan for consideration by the Legislative
322 Budget Commission if the cost of a service is increased for a
323 reason other than a customer entity's request made pursuant to
324 sub-subparagraph d. ~~subparagraph 4.~~ Such a plan is required only
325 if the service cost increase results in a net increase to a
326 customer entity for that fiscal year.

327 ~~g.7.~~ Standardizing and consolidating procurement and
328 contracting practices.

329 ~~4.(d)~~ In collaboration with the Department of Law
330 Enforcement, developing and implementing a process for
331 detecting, reporting, and responding to information technology
332 security incidents, breaches, and threats.

333 ~~5.(e)~~ Adopting rules relating to the operation of the
334 state data center, including, but not limited to, budgeting and

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335 accounting procedures, cost-recovery or other payment
336 methodologies, and operating procedures.

337 ~~(f) Conducting an annual market analysis to determine~~
338 ~~whether the state's approach to the provision of data center~~
339 ~~services is the most effective and cost-efficient manner by~~
340 ~~which its customer entities can acquire such services, based on~~
341 ~~federal, state, and local government trends; best practices in~~
342 ~~service provision; and the acquisition of new and emerging~~
343 ~~technologies. The results of the market analysis shall assist~~
344 ~~the state data center in making adjustments to its data center~~
345 ~~service offerings.~~

346 (k) ~~(11)~~ Recommend other information technology services
347 that should be designed, delivered, and managed as enterprise
348 information technology services. Recommendations must include
349 the identification of existing information technology resources
350 associated with the services, if existing services must be
351 transferred as a result of being delivered and managed as
352 enterprise information technology services.

353 (l) ~~(12)~~ In consultation with state agencies, propose a
354 methodology and approach for identifying and collecting both
355 current and planned information technology expenditure data at
356 the state agency level.

357 (m) 1. ~~(13) (a)~~ Notwithstanding any other law, provide
358 project oversight on any project with an information technology
359 component ~~project~~ of the Department of Financial Services, the

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360 Department of Legal Affairs, and the Department of Agriculture
361 and Consumer Services which has a total project cost of \$25
362 million or more and which impacts one or more other agencies.
363 Such projects with an information technology component ~~projects~~
364 must also comply with the applicable information technology
365 architecture, project management and oversight, and reporting
366 standards established by the Florida Digital Service ~~department~~.

367 2.(b) When performing the project oversight function
368 specified in subparagraph 1. ~~paragraph (a)~~, report at least
369 quarterly to the Executive Office of the Governor, the President
370 of the Senate, and the Speaker of the House of Representatives
371 on any project with an information technology component ~~project~~
372 that the Florida Digital Service ~~department~~ identifies as high-
373 risk due to the project exceeding acceptable variance ranges
374 defined and documented in the project plan. The report shall
375 include a risk assessment, including fiscal risks, associated
376 with proceeding to the next stage of the project and a
377 recommendation for corrective actions required, including
378 suspension or termination of the project.

379 (n)(14) If a project with an information technology
380 component ~~project~~ implemented by a state agency must be
381 connected to or otherwise accommodated by an information
382 technology system administered by the Department of Financial
383 Services, the Department of Legal Affairs, or the Department of
384 Agriculture and Consumer Services, consult with these

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385 departments regarding the risks and other effects of such
386 projects on their information technology systems and work
387 cooperatively with these departments regarding the connections,
388 interfaces, timing, or accommodations required to implement such
389 projects.

390 (o) ~~(15)~~ If adherence to standards or policies adopted by
391 or established pursuant to this section causes conflict with
392 federal regulations or requirements imposed on a state agency
393 and results in adverse action against the state agency or
394 federal funding, work with the state agency to provide
395 alternative standards, policies, or requirements that do not
396 conflict with the federal regulation or requirement. The Florida
397 Digital Service ~~department~~ shall annually report such
398 alternative standards to the Governor, the President of the
399 Senate, and the Speaker of the House of Representatives.

400 (p) 1. ~~(16) (a)~~ Establish an information technology policy
401 for all information technology-related state contracts,
402 including state term contracts for information technology
403 commodities, consultant services, and staff augmentation
404 services. The information technology policy must include:

405 a.1. Identification of the information technology product
406 and service categories to be included in state term contracts.

407 b.2. Requirements to be included in solicitations for
408 state term contracts.

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409 c.3. Evaluation criteria for the award of information
410 technology-related state term contracts.

411 d.4. The term of each information technology-related state
412 term contract.

413 e.5. The maximum number of vendors authorized on each
414 state term contract.

415 2.(b) Evaluate vendor responses for information
416 technology-related state term contract solicitations and
417 invitations to negotiate.

418 3.(e) Answer vendor questions on information technology-
419 related state term contract solicitations.

420 4.(d) Ensure that the information technology policy
421 established pursuant to subparagraph 1. ~~paragraph (a)~~ is
422 included in all solicitations and contracts that are
423 administratively executed by the department.

424 (g) (17) Recommend potential methods for standardizing data
425 across state agencies which will promote interoperability and
426 reduce the collection of duplicative data.

427 (r) (18) Recommend open data technical standards and
428 terminologies for use by state agencies.

429 (2) (a) The Secretary of Management Services shall appoint
430 a state chief information officer, who shall administer the
431 Florida Digital Service and is included in the Senior Management
432 Service.

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433 (b) The state chief information officer shall appoint a
434 chief data officer, who shall report to the state chief
435 information officer and is included in the Senior Management
436 Service.

437 (3) The Florida Digital Service shall develop a
438 comprehensive enterprise architecture that:

439 (a) Recognizes the unique needs of those included within
440 the enterprise that results in the publication of standards,
441 terminologies, and procurement guidelines to facilitate digital
442 interoperability.

443 (b) Supports the cloud-first policy as specified in s.
444 282.206.

445 (c) Addresses how information technology infrastructure
446 may be modernized to achieve cloud-first objectives.

447 (4) The Florida Digital Service shall, pursuant to
448 legislative appropriation:

449 (a) Create and maintain a comprehensive indexed data
450 catalog that lists what data elements are housed within the
451 enterprise and in which legacy system or application these data
452 elements are located.

453 (b) Develop and publish, in collaboration with the
454 enterprise, a data dictionary for each agency that reflects the
455 nomenclature in the comprehensive indexed data catalog.

456 (c) Review and document use cases across the enterprise
457 architecture.

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458 (d) Develop, publish, and manage an application
459 programming interface to facilitate integration throughout the
460 enterprise.

461 (e) Facilitate collaborative analysis of enterprise
462 architecture data to improve service delivery.

463 (f) Provide a testing environment in which any newly
464 developed solution can be tested for compliance within the
465 enterprise architecture and for functionality assurance before
466 deployment.

467 (g) Create the functionality necessary for a secure
468 ecosystem of data interoperability that is compliant with the
469 enterprise architecture and allows for a qualified entity to
470 access the stored data under the terms of the agreement with the
471 department.

472 (h) Develop and deploy applications or solutions to
473 existing enterprise obligations in a controlled and phased
474 approach, including, but not limited to:

475 1. Digital licenses, including full identification
476 management.

477 2. Interoperability that enables supervisors of elections
478 to authenticate voter eligibility in real time at the point of
479 service.

480 3. The criminal justice database.

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481 4. Motor vehicle insurance cancellation integration
482 between insurers and the Department of Highway Safety and Motor
483 Vehicles.

484 5. Interoperability solutions between agencies, including,
485 but not limited to, the Department of Health, the Agency for
486 Health Care Administration, the Agency for Persons with
487 Disabilities, the Department of Education, the Department of
488 Elderly Affairs, and the Department of Children and Families.

489 6. Interoperability solutions to support military members,
490 veterans, and their families.

491 (5) Pursuant to legislative authorization and subject to
492 appropriation:

493 (a) The department may procure a credential service
494 provider through a competitive process pursuant to s. 287.057.
495 The terms of the contract developed from such procurement must
496 pay for the value on a per-data-call or subscription basis, and
497 there shall be no cost to the enterprise or law enforcement for
498 using the services provided by the credential service provider.

499 (b) The department may enter into agreements with
500 electronic credential providers that have the technological
501 capabilities necessary to integrate with the credential service
502 provider; ensure secure validation and authentication of data;
503 meet usage criteria; and agree to terms and conditions, privacy
504 policies, and uniform remittance terms relating to the
505 consumption of an electronic credential. These agreements must

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506 include clear, enforceable, and significant penalties for
507 violations of the agreements.

508 (c) The department may enter into agreements with
509 qualified entities that meet usage criteria and agree to the
510 enterprise architecture terms of service and privacy policies.
511 These agreements must include clear, enforceable, and
512 significant penalties for violations of the agreements.

513 (d) The terms of the agreements between the department and
514 the credential service provider, the electronic credential
515 providers, and the qualified entities shall be based on the per-
516 data-call or subscription charges to validate and authenticate
517 an electronic credential and allow the department to recover any
518 state costs for implementing and administering an electronic
519 credential solution. Credential service provider, electronic
520 credential provider, and qualifying entity revenues may not be
521 derived from any other transactions that generate revenue for
522 the enterprise outside of the per-data-call or subscription
523 charges.

524 (e) All revenues generated from the agreements with the
525 credential service provider, electronic credential providers,
526 and qualified entities shall be remitted to the department, and
527 the department shall deposit these revenues into the Department
528 of Management Services Operating Trust Fund for distribution
529 pursuant to a legislative appropriation and department

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530 agreements with the credential service provider, electronic
531 credential providers, and qualified entities.

532 (f) Upon the signing of the agreement and the enterprise
533 architecture terms of service and privacy policies with a
534 qualified entity or an electronic credential provider, the
535 department shall provide to the qualified entity or the
536 electronic credential provider, as applicable, appropriate
537 access to the stored data to facilitate authorized integrations
538 to collaboratively solve enterprise use cases.

539 (6) The Florida Digital Service may develop a process to:

540 (a) Receive written notice from the state agencies within
541 the enterprise of any planned or existing procurement of an
542 information technology project that is subject to governance by
543 the enterprise architecture.

544 (b) Intervene in any planned procurement by a state agency
545 so that the procurement complies with the enterprise
546 architecture.

547 (c) Report to the Governor, the President of the Senate,
548 and the Speaker of the House of Representatives on any
549 information technology project within the judicial branch that
550 does not comply with the enterprise architecture.

551 (7) ~~(19)~~ The Florida Digital Service may adopt rules to
552 administer this section.

553 Section 4. Section 282.00515, Florida Statutes, is amended
554 to read:

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555 282.00515 Enterprise Architecture Advisory Council ~~Duties~~
556 ~~of Cabinet Agencies. The Department of Legal Affairs, the~~
557 ~~Department of Financial Services, and the Department of~~
558 ~~Agriculture and Consumer Services shall adopt the standards~~
559 ~~established in s. 282.0051(2), (3), and (7) or adopt alternative~~
560 ~~standards based on best practices and industry standards, and~~
561 ~~may contract with the department to provide or perform any of~~
562 ~~the services and functions described in s. 282.0051 for the~~
563 ~~Department of Legal Affairs, the Department of Financial~~
564 ~~Services, or the Department of Agriculture and Consumer~~
565 ~~Services.~~

566 (1) (a) The Enterprise Architecture Advisory Council, an
567 advisory council as defined in s. 20.03(7), is established
568 within the Department of Management Services. The council shall
569 comply with the requirements of s. 20.052, except as otherwise
570 provided in this section.

571 (b) The council shall consist of the following members:

572 1. Four members appointed by the Governor.

573 2. One member appointed by the President of the Senate.

574 3. One member appointed by the Speaker of the House of
575 Representatives.

576 4. One member appointed by the Chief Justice of the
577 Supreme Court.

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578 5. The director of the Office of Policy and Budget in the
579 Executive Office of the Governor, or the person acting in the
580 director's capacity should the position be vacant.

581 6. The Secretary of Management Services, or the person
582 acting in the secretary's capacity should the position be
583 vacant.

584 7. The state chief information officer, or the person
585 acting in the state chief information officer's capacity should
586 the position be vacant.

587 8. The chief information officer of the Department of
588 Financial Services, or the person acting in the chief
589 information officer's capacity should the position be vacant.

590 9. The chief information officer of the Department of
591 Legal Affairs, or the person acting in the chief information
592 officer's capacity should the position be vacant.

593 10. The chief information officer of the Department of
594 Agriculture and Consumer Services, or the person acting in the
595 chief information officer's capacity should the position be
596 vacant.

597 (2) (a) The appointments made by the Governor, the
598 President of the Senate, the Speaker of the House of
599 Representatives, and the Chief Justice of the Supreme Court are
600 for terms of 4 years. However, for the purpose of providing
601 staggered terms:

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602 1. The appointments made by the Governor, the President of
603 the Senate, and the Speaker of the House of Representatives are
604 for initial terms of 2 years.

605 2. The appointment made by the Chief Justice is for an
606 initial term of 3 years.

607 (b) A vacancy on the council among members appointed under
608 subparagraph (1)(b)1., subparagraph (1)(b)2., subparagraph
609 (1)(b)3., or subparagraph (1)(b)4. shall be filled in the same
610 manner as the original appointment for the remainder of the
611 unexpired term.

612 (c) The council shall elect a chair from among its
613 members.

614 (d) The council shall meet at least semiannually,
615 beginning October 1, 2020, to discuss implementation,
616 management, and coordination of the enterprise architecture as
617 defined in s. 282.0041; identify potential issues and threats
618 with specific use cases; and recommend proactive solutions. The
619 council may conduct its meetings through teleconferences or
620 other similar means.

621 Section 5. Paragraph (a) of subsection (3) of section
622 282.318, Florida Statutes, is amended to read:

623 282.318 Security of data and information technology.—

624 (3) The department is responsible for establishing
625 standards and processes consistent with generally accepted best
626 practices for information technology security, to include

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627 cybersecurity, and adopting rules that safeguard an agency's
628 data, information, and information technology resources to
629 ensure availability, confidentiality, and integrity and to
630 mitigate risks. The department shall also:

631 (a) Designate a state chief information security officer
632 who shall report to the state chief information officer of the
633 Florida Digital Service and is in the Senior Management Service.
634 The state chief information security officer must have
635 experience and expertise in security and risk management for
636 communications and information technology resources.

637 Section 6. Subsection (4) of section 287.0591, Florida
638 Statutes, is amended to read:

639 287.0591 Information technology.—

640 (4) If the department issues a competitive solicitation
641 for information technology commodities, consultant services, or
642 staff augmentation contractual services, the Florida Digital
643 Service ~~Division of State Technology~~ within the department shall
644 participate in such solicitations.

645 Section 7. Paragraph (a) of subsection (3) of section
646 365.171, Florida Statutes, is amended to read:

647 365.171 Emergency communications number E911 state plan.—

648 (3) DEFINITIONS.—As used in this section, the term:

649 (a) "Office" means the Division of Telecommunications
650 ~~State Technology~~ within the Department of Management Services,
651 as designated by the secretary of the department.

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652 Section 8. Paragraph (s) of subsection (3) of section
653 365.172, Florida Statutes, is amended to read:

654 365.172 Emergency communications number "E911."—

655 (3) DEFINITIONS.—Only as used in this section and ss.
656 365.171, 365.173, 365.174, and 365.177, the term:

657 (s) "Office" means the Division of Telecommunications
658 ~~State Technology~~ within the Department of Management Services,
659 as designated by the secretary of the department.

660 Section 9. Paragraph (a) of subsection (1) of section
661 365.173, Florida Statutes, is amended to read:

662 365.173 Communications Number E911 System Fund.—

663 (1) REVENUES.—

664 (a) Revenues derived from the fee levied on subscribers
665 under s. 365.172(8) must be paid by the board into the State
666 Treasury on or before the 15th day of each month. Such moneys
667 must be accounted for in a special fund to be designated as the
668 Emergency Communications Number E911 System Fund, a fund created
669 in the Division of Telecommunications ~~State Technology~~, or other
670 office as designated by the Secretary of Management Services.

671 Section 10. Subsection (5) of section 943.0415, Florida
672 Statutes, is amended to read:

673 943.0415 Cybercrime Office.—There is created within the
674 Department of Law Enforcement the Cybercrime Office. The office
675 may:

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676 (5) Consult with the Florida Digital Service ~~Division of~~
677 ~~State Technology~~ within the Department of Management Services in
678 the adoption of rules relating to the information technology
679 security provisions in s. 282.318.

680 Section 11. Effective July 1, 2020, for the 2020-2021
681 fiscal year, the sum of \$50,000 in nonrecurring funds is
682 appropriated from the Administrative Trust Fund to the Office of
683 Financial Regulation to implement s. 560.214, Florida Statutes,
684 as created by this act.

685 -----
686
687 **T I T L E A M E N D M E N T**

688 Remove lines 6-29 and insert:

689 amending s. 282.0041, F.S.; providing definitions;
690 amending s. 282.0051, F.S.; establishing the Florida
691 Digital Service within the department; transferring
692 specified powers, duties, and functions; providing
693 appointments and duties of the state chief information
694 officer and chief data officer of the Florida Digital
695 Service; requiring the Florida Digital Service to
696 develop a comprehensive enterprise architecture;
697 providing requirements for such enterprise
698 architecture; providing duties and authorities of the
699 Florida Digital Service; providing duties of the
700 department under certain circumstances; providing

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701 requirements for the procurement terms of contract
702 under certain circumstances; prohibiting costs to the
703 enterprise and law enforcement for using services
704 provided by credential service providers under certain
705 circumstances; providing requirements for agreements
706 between the department and credential service
707 providers, electronic credential providers, and
708 qualified entities under certain circumstances;
709 providing disposition of revenues generated from such
710 agreements under certain circumstances; providing
711 report requirements; providing rulemaking authority;
712 amending s. 282.00515, F.S.; deleting provisions
713 relating to specified duties and powers of the
714 Department of Legal Affairs, the Department of
715 Financial Services, and the Department of Agriculture
716 and Consumer Services; establishing the Enterprise
717 Architecture Advisory Council; requiring the council
718 to comply with specified requirements; providing
719 membership and meeting requirements and duties of the
720 council; amending ss. 282.318, 287.0591, 365.171,
721 365.172, 365.173, and 943.0415, F.S.; conforming
722 provisions to changes made by the act; providing an
723 appropriation; creating s.