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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2020	.	
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The Committee on Banking and Insurance (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(2) The ~~following divisions and programs within the~~  
Department of Management Services shall consist of the following



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11 ~~are established:~~

12 (a) The Facilities Program.

13 (b) The Division of Telecommunications ~~State Technology,~~  
14 ~~the director of which is appointed by the secretary of the~~  
15 ~~department and shall serve as the state chief information~~  
16 ~~officer. The state chief information officer must be a proven,~~  
17 ~~effective administrator who must have at least 10 years of~~  
18 ~~executive-level experience in the public or private sector,~~  
19 ~~preferably with experience in the development of information~~  
20 ~~technology strategic planning and the development and~~  
21 ~~implementation of fiscal and substantive information technology~~  
22 ~~policy and standards.~~

23 (c) The Workforce Program.

24 (d)1. The Support Program.

25 2. The Federal Property Assistance Program.

26 (e) The Administration Program.

27 (f) The Division of Administrative Hearings.

28 (g) The Division of Retirement.

29 (h) The Division of State Group Insurance.

30 (i) The Florida Digital Service.

31 Section 2. Section 282.0041, Florida Statutes, is amended  
32 to read:

33 282.0041 Definitions.—As used in this chapter, the term:

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

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



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40 (3) "Breach" has the same meaning as provided in s.  
41 501.171.

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

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

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

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

58 (8) "Customer entity" means an entity that obtains services  
59 from the Department of Management Services.

60 ~~(9)-(8)~~ "Data" means a subset of structured information in a  
61 format that allows such information to be electronically  
62 retrieved and transmitted.

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

66 ~~(11)-(9)~~ "Department" means the Department of Management  
67 Services.

68 ~~(12)-(10)~~ "Disaster recovery" means the process, policies,



69 procedures, and infrastructure related to preparing for and  
70 implementing recovery or continuation of an agency's vital  
71 technology infrastructure after a natural or human-induced  
72 disaster.

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

76 (14) "Electronic credential" means an electronic  
77 representation of the identity of a person, an organization, an  
78 application, or a device.

79 (15) "Enterprise" means the collection of state agencies as  
80 defined in subsection (35). The term includes the Department of  
81 Legal Affairs, the Department of Agriculture and Consumer  
82 Services, and the Department of Financial Services.

83 (16) "Enterprise architecture" means a comprehensive  
84 operational framework that contemplates the needs and assets of  
85 the enterprise to support interoperability across state  
86 government.

87 (17)-~~(11)~~ "Enterprise information technology service" means  
88 an information technology service that is used in all agencies  
89 or a subset of agencies and is established in law to be  
90 designed, delivered, and managed at the enterprise level.

91 (18)-~~(12)~~ "Event" means an observable occurrence in a system  
92 or network.

93 (19)-~~(13)~~ "Incident" means a violation or imminent threat of  
94 violation, whether such violation is accidental or deliberate,  
95 of information technology resources, security, policies, or  
96 practices. An imminent threat of violation refers to a situation  
97 in which the state agency has a factual basis for believing that



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98 a specific incident is about to occur.

99 (20)~~(14)~~ "Information technology" means equipment,  
100 hardware, software, firmware, programs, systems, networks,  
101 infrastructure, media, and related material used to  
102 automatically, electronically, and wirelessly collect, receive,  
103 access, transmit, display, store, record, retrieve, analyze,  
104 evaluate, process, classify, manipulate, manage, assimilate,  
105 control, communicate, exchange, convert, converge, interface,  
106 switch, or disseminate information of any kind or form.

107 (21)~~(15)~~ "Information technology policy" means a definite  
108 course or method of action selected from among one or more  
109 alternatives that guide and determine present and future  
110 decisions.

111 (22)~~(16)~~ "Information technology resources" has the same  
112 meaning as provided in s. 119.011.

113 (23)~~(17)~~ "Information technology security" means the  
114 protection afforded to an automated information system in order  
115 to attain the applicable objectives of preserving the integrity,  
116 availability, and confidentiality of data, information, and  
117 information technology resources.

118 (24) "Interoperability" means the technical ability to  
119 share and use data across and throughout the enterprise.

120 (25)~~(18)~~ "Open data" means data collected or created by a  
121 state agency, including the Department of Legal Affairs, the  
122 Department of Agriculture and Consumer Services, and the  
123 Department of Financial Services, and structured in a way that  
124 enables the data to be fully discoverable and usable by the  
125 public. The term does not include data that are restricted from  
126 public disclosure ~~distribution~~ based on federal or state



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127 privacy, confidentiality, and security laws and regulations or  
128 data for which a state agency is statutorily authorized to  
129 assess a fee for its distribution.

130 (26)~~(19)~~ "Performance metrics" means the measures of an  
131 organization's activities and performance.

132 (27)~~(20)~~ "Project" means an endeavor that has a defined  
133 start and end point; is undertaken to create or modify a unique  
134 product, service, or result; and has specific objectives that,  
135 when attained, signify completion.

136 (28)~~(21)~~ "Project oversight" means an independent review  
137 and analysis of an information technology project that provides  
138 information on the project's scope, completion timeframes, and  
139 budget and that identifies and quantifies issues or risks  
140 affecting the successful and timely completion of the project.

141 (29) "Qualified entity" means a public or private entity or  
142 individual that enters into a binding agreement with the  
143 department, meets usage criteria, agrees to terms and  
144 conditions, and is subsequently and prescriptively authorized by  
145 the department to access data under the terms of that agreement  
146 as specified in s. 282.0051.

147 (30)~~(22)~~ "Risk assessment" means the process of identifying  
148 security risks, determining their magnitude, and identifying  
149 areas needing safeguards.

150 (31)~~(23)~~ "Service level" means the key performance  
151 indicators (KPI) of an organization or service which must be  
152 regularly performed, monitored, and achieved.

153 (32)~~(24)~~ "Service-level agreement" means a written contract  
154 between the Department of Management Services and a customer  
155 entity which specifies the scope of services provided, service



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156 level, the duration of the agreement, the responsible parties,  
157 and service costs. A service-level agreement is not a rule  
158 pursuant to chapter 120.

159 (33)~~(25)~~ "Stakeholder" means a person, group, organization,  
160 or state agency involved in or affected by a course of action.

161 (34)~~(26)~~ "Standards" means required practices, controls,  
162 components, or configurations established by an authority.

163 (35)~~(27)~~ "State agency" means any official, officer,  
164 commission, board, authority, council, committee, or department  
165 of the executive branch of state government; the Justice  
166 Administrative Commission; and the Public Service Commission.  
167 The term does not include university boards of trustees or state  
168 universities. As used in part I of this chapter, except as  
169 otherwise specifically provided, the term does not include the  
170 Department of Legal Affairs, the Department of Agriculture and  
171 Consumer Services, or the Department of Financial Services.

172 (36)~~(28)~~ "SUNCOM Network" means the state enterprise  
173 telecommunications system that provides all methods of  
174 electronic or optical telecommunications beyond a single  
175 building or contiguous building complex and used by entities  
176 authorized as network users under this part.

177 (37)~~(29)~~ "Telecommunications" means the science and  
178 technology of communication at a distance, including electronic  
179 systems used in the transmission or reception of information.

180 (38)~~(30)~~ "Threat" means any circumstance or event that has  
181 the potential to adversely impact a state agency's operations or  
182 assets through an information system via unauthorized access,  
183 destruction, disclosure, or modification of information or  
184 denial of service.



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185        ~~(39)(31)~~ "Variance" means a calculated value that  
186 illustrates how far positive or negative a projection has  
187 deviated when measured against documented estimates within a  
188 project plan.

189        Section 3. Section 282.0051, Florida Statutes, is amended  
190 to read:

191        282.0051 Florida Digital Service Department of Management  
192 Services; powers, duties, and functions. ~~There is established~~  
193 the Florida Digital Service within the department to create  
194 innovative solutions that securely modernize state government,  
195 achieve value through digital transformation and  
196 interoperability, and fully support the cloud-first policy as  
197 specified in s. 282.206.

198        (1) The Florida Digital Service department shall have the  
199 following powers, duties, and functions:

200        (a)(1) Develop and publish information technology policy  
201 for the management of the state's information technology  
202 resources.

203        (b)(2) Develop an enterprise architecture that:

204        1. Acknowledges the unique needs of those included within  
205 the enterprise, resulting in the publication of standards,  
206 terminologies, and procurement guidelines to facilitate digital  
207 interoperability;

208        2. Supports the cloud-first policy as specified in s.  
209 282.206; and

210        3. Addresses how information technology infrastructure may  
211 be modernized to achieve cloud-first objectives ~~Establish and~~  
212 ~~publish information technology architecture standards to provide~~  
213 ~~for the most efficient use of the state's information technology~~





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214 ~~resources and to ensure compatibility and alignment with the~~  
215 ~~needs of state agencies. The department shall assist state~~  
216 ~~agencies in complying with the standards.~~

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

225 1.~~(a)~~ Performance measurements and metrics that objectively  
226 reflect the status of a project with an information technology  
227 component ~~project~~ based on a defined and documented project  
228 scope, cost, and schedule.

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

232 3.~~(c)~~ Reporting requirements, including requirements  
233 designed to alert all defined stakeholders that a project with  
234 an information technology component ~~project~~ has exceeded  
235 acceptable variances defined and documented in a project plan.

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

237 (d)~~(4)~~ Perform project oversight on all state agency  
238 ~~information technology~~ projects that have an information  
239 technology component with a total project cost ~~costs~~ of \$10  
240 million or more and that are funded in the General  
241 Appropriations Act or any other law. The Florida Digital Service  
242 ~~department~~ shall report at least quarterly to the Executive



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243 Office of the Governor, the President of the Senate, and the  
244 Speaker of the House of Representatives on any project with an  
245 information technology component ~~project~~ that the Florida  
246 Digital Service ~~department~~ identifies as high-risk due to the  
247 project exceeding acceptable variance ranges defined and  
248 documented in a project plan. The report must include a risk  
249 assessment, including fiscal risks, associated with proceeding  
250 to the next stage of the project, and a recommendation for  
251 corrective actions required, including suspension or termination  
252 of the project. The Florida Digital Service shall establish a  
253 process for state agencies to apply for an exception to the  
254 requirements of this paragraph for a specific project with an  
255 information technology component.

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

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

271 (g) ~~(7)~~ Develop standards for information technology reports



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272 and updates, including, but not limited to, operational work  
273 plans, project spend plans, and project status reports, for use  
274 by state agencies.

275 (h)~~(8)~~ Upon request, assist state agencies in the  
276 development of information technology-related legislative budget  
277 requests.

278 (i)~~(9)~~ Conduct annual assessments of state agencies to  
279 determine compliance with all information technology standards  
280 and guidelines developed and published by the Florida Digital  
281 Service ~~department~~ and provide results of the assessments to the  
282 Executive Office of the Governor, the President of the Senate,  
283 and the Speaker of the House of Representatives.

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

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

290 2.~~(b)~~ Developing and implementing cost-recovery or other  
291 payment mechanisms that recover the full direct and indirect  
292 cost of services through charges to applicable customer  
293 entities. Such cost-recovery or other payment mechanisms must  
294 comply with applicable state and federal regulations concerning  
295 distribution and use of funds and must ensure that, for any  
296 fiscal year, no service or customer entity subsidizes another  
297 service or customer entity.

298 3.~~(c)~~ Developing and implementing appropriate operating  
299 guidelines and procedures necessary for the state data center to  
300 perform its duties pursuant to s. 282.201. The guidelines and



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301 procedures must comply with applicable state and federal laws,  
302 regulations, and policies and conform to generally accepted  
303 governmental accounting and auditing standards. The guidelines  
304 and procedures must include, but need not be limited to:

305 ~~a.1.~~ Implementing a consolidated administrative support  
306 structure responsible for providing financial management,  
307 procurement, transactions involving real or personal property,  
308 human resources, and operational support.

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

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

315 ~~d.4.~~ Requiring customer entities to validate that  
316 sufficient funds exist in the appropriate data processing  
317 appropriation category or will be transferred into the  
318 appropriate data processing appropriation category before  
319 implementation of a customer entity's request for a change in  
320 the type or level of service provided, if such change results in  
321 a net increase to the customer entity's cost for that fiscal  
322 year.

323 ~~e.5.~~ By November 15 of each year, providing to the Office  
324 of Policy and Budget in the Executive Office of the Governor and  
325 to the chairs of the legislative appropriations committees the  
326 projected costs of providing data center services for the  
327 following fiscal year.

328 ~~f.6.~~ Providing a plan for consideration by the Legislative  
329 Budget Commission if the cost of a service is increased for a



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330 reason other than a customer entity's request made pursuant to  
331 sub-subparagraph d. ~~subparagraph 4.~~ Such a plan is required only  
332 if the service cost increase results in a net increase to a  
333 customer entity for that fiscal year.

334 ~~g.7.~~ Standardizing and consolidating procurement and  
335 contracting practices.

336 ~~4.(d)~~ In collaboration with the Department of Law  
337 Enforcement, developing and implementing a process for  
338 detecting, reporting, and responding to information technology  
339 security incidents, breaches, and threats.

340 ~~5.(e)~~ Adopting rules relating to the operation of the state  
341 data center, including, but not limited to, budgeting and  
342 accounting procedures, cost-recovery or other payment  
343 methodologies, and operating procedures.

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

353 ~~(k)(11)~~ Recommend other information technology services  
354 that should be designed, delivered, and managed as enterprise  
355 information technology services. Recommendations must include  
356 the identification of existing information technology resources  
357 associated with the services, if existing services must be  
358 transferred as a result of being delivered and managed as



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359 enterprise information technology services.

360 (1)~~(12)~~ In consultation with state agencies, propose a  
361 methodology and approach for identifying and collecting both  
362 current and planned information technology expenditure data at  
363 the state agency level.

364 (m) 1.~~(13) (a)~~ Notwithstanding any other law, provide project  
365 oversight on any project with an information technology  
366 component ~~project~~ of the Department of Financial Services, the  
367 Department of Legal Affairs, and the Department of Agriculture  
368 and Consumer Services which has a total project cost of \$25  
369 million or more and which impacts one or more other agencies.  
370 Such projects with an information technology component ~~projects~~  
371 must also comply with the applicable information technology  
372 architecture, project management and oversight, and reporting  
373 standards established by the Florida Digital Service ~~department~~.  
374 The Florida Digital Service shall establish a process for the  
375 Department of Financial Services, the Department of Legal  
376 Affairs, and the Department of Agriculture and Consumer Services  
377 to apply for an exception to the requirements of this paragraph  
378 for a specific project with an information technology component.

379 2.~~(b)~~ When performing the project oversight function  
380 specified in subparagraph 1. ~~paragraph (a)~~, report at least  
381 quarterly to the Executive Office of the Governor, the President  
382 of the Senate, and the Speaker of the House of Representatives  
383 on any project with an information technology component ~~project~~  
384 that the Florida Digital Service ~~department~~ identifies as high-  
385 risk due to the project exceeding acceptable variance ranges  
386 defined and documented in the project plan. The report shall  
387 include a risk assessment, including fiscal risks, associated



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388 with proceeding to the next stage of the project and a  
389 recommendation for corrective actions required, including  
390 suspension or termination of the project.

391 (n) ~~(14)~~ If a project with an information technology  
392 component ~~project~~ implemented by a state agency must be  
393 connected to or otherwise accommodated by an information  
394 technology system administered by the Department of Financial  
395 Services, the Department of Legal Affairs, or the Department of  
396 Agriculture and Consumer Services, consult with these  
397 departments regarding the risks and other effects of such  
398 projects on their information technology systems and work  
399 cooperatively with these departments regarding the connections,  
400 interfaces, timing, or accommodations required to implement such  
401 projects.

402 (o) ~~(15)~~ If adherence to standards or policies adopted by or  
403 established pursuant to this section causes conflict with  
404 federal regulations or requirements imposed on a state agency  
405 and results in adverse action against the state agency or  
406 federal funding, work with the state agency to provide  
407 alternative standards, policies, or requirements that do not  
408 conflict with the federal regulation or requirement. The Florida  
409 Digital Service ~~department~~ shall annually report such  
410 alternative standards to the Governor, the President of the  
411 Senate, and the Speaker of the House of Representatives.

412 (p) 1. ~~(16)~~ ~~(a)~~ Establish an information technology policy for  
413 all information technology-related state contracts, including  
414 state term contracts for information technology commodities,  
415 consultant services, and staff augmentation services. The  
416 information technology policy must include:



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417        ~~a.1.~~ Identification of the information technology product  
418 and service categories to be included in state term contracts.  
419        ~~b.2.~~ Requirements to be included in solicitations for state  
420 term contracts.  
421        ~~c.3.~~ Evaluation criteria for the award of information  
422 technology-related state term contracts.  
423        ~~d.4.~~ The term of each information technology-related state  
424 term contract.  
425        ~~e.5.~~ The maximum number of vendors authorized on each state  
426 term contract.  
427        ~~2.(b)~~ Evaluate vendor responses for information technology-  
428 related state term contract solicitations and invitations to  
429 negotiate.  
430        ~~3.(e)~~ Answer vendor questions on information technology-  
431 related state term contract solicitations.  
432        ~~4.(d)~~ Ensure that the information technology policy  
433 established pursuant to subparagraph 1. ~~paragraph (a)~~ is  
434 included in all solicitations and contracts that are  
435 administratively executed by the department.  
436        ~~(q) (17)~~ Recommend potential methods for standardizing data  
437 across state agencies which will promote interoperability and  
438 reduce the collection of duplicative data.  
439        ~~(r) (18)~~ Recommend open data technical standards and  
440 terminologies for use by the enterprise state agencies.  
441        (2) (a) The Secretary of Management Services shall designate  
442 a state chief information officer, who shall administer the  
443 Florida Digital Service and is included in the Senior Management  
444 Service.  
445        (b) The state chief information officer shall designate a





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446 chief data officer, who shall report to the state chief  
447 information officer and is included in the Senior Management  
448 Service.

449 (3) The Florida Digital Service shall, pursuant to  
450 legislative appropriation:

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

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

458 (c) Review and document use cases across the enterprise  
459 architecture.

460 (d) Develop and publish standards that support the creation  
461 and deployment of application programming interfaces to  
462 facilitate integration throughout the enterprise.

463 (e) Publish standards necessary to facilitate a secure  
464 ecosystem of data interoperability which is compliant with the  
465 enterprise architecture and allows for a qualified entity to  
466 access the enterprise's data under the terms of the agreements  
467 with the department. However, enterprise data do not include  
468 data that are restricted from public distribution based on  
469 federal or state privacy, confidentiality, or security laws and  
470 regulations.

471 (f) Publish standards that facilitate the deployment of  
472 applications or solutions to existing enterprise obligations in  
473 a controlled and phased approach, including, but not limited to:

474 1. Electronic credentials, including digital proofs of a



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475 driver license as specified in s. 322.032.

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

479 3. The criminal justice database.

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

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

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

490 (4) Pursuant to legislative authorization and subject to  
491 appropriation:

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

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



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504 Enterprise data do not include data that are restricted from  
505 public disclosure based on federal or state privacy,  
506 confidentiality, or security laws and regulations. These  
507 agreements must include clear, enforceable, and significant  
508 penalties for violations of the agreements.

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

519 (d) All revenues generated from the agreements with the  
520 credential service provider and qualified entities shall be  
521 remitted to the department, and the department shall deposit  
522 these revenues into the Department of Management Services  
523 Operating Trust Fund for distribution pursuant to a legislative  
524 appropriation and department agreements with the credential  
525 service provider and qualified entities.

526 (e) Upon the signing of the agreement and the enterprise  
527 architecture terms of service and privacy policies with a  
528 qualified entity, the department shall facilitate authorized  
529 integrations between the qualified entity and the credential  
530 service provider.

531 (5) Upon the adoption of the enterprise architecture, the  
532 Florida Digital Service may develop a process to:



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533           (a) Receive written notice from the enterprise of any  
534 procurement of an information technology project that is subject  
535 to enterprise architecture standards.

536           (b) Participate in the development of specifications and  
537 recommend modifications of any procurement by state agencies so  
538 that the procurement complies with the enterprise architecture.

539           (6) ~~(19)~~ The Florida Digital Service may adopt rules to  
540 administer this section.

541           Section 4. Section 282.00515, Florida Statutes, is amended  
542 to read:

543           282.00515 Duties of Cabinet agencies.-

544           (1) The Department of Legal Affairs, the Department of  
545 Financial Services, and the Department of Agriculture and  
546 Consumer Services shall adopt the standards established in s.  
547 282.0051(1)(b), (c), (g), (r), and (3)(e) ~~s. 282.0051(2), (3),~~  
548 ~~and (7)~~ or adopt alternative standards based on best practices  
549 and industry standards that allow for the interoperability of  
550 open data within the enterprise.

551           (2) If the Department of Legal Affairs, the Department of  
552 Financial Services, or the Department of Agriculture and  
553 Consumer Services adopts alternative standards in lieu of the  
554 enterprise architecture standards in s. 282.0051, such agency  
555 shall notify the Governor, the President of the Senate, and  
556 Speaker of the House of Representatives in writing before the  
557 adoption of the alternative standards and annually thereafter,  
558 until such agency adopts the enterprise architecture standards  
559 in s. 282.0051. The notification must include the following:

560           (a) A detailed plan of how such agency will comply with the  
561 interoperability requirements referenced in this chapter.



562 (b) An estimated cost and time difference between adhering  
563 to the enterprise architecture or choosing alternative  
564 standards.

565 (c) A detailed security risk assessment of adopting  
566 alternative standards versus adopting the enterprise  
567 architecture.

568 (d) Certification by the agency head or the agency head's  
569 designated representative that the agency's strategic and  
570 operational information technology security plans as required by  
571 s. 282.318(4) include provisions related to interoperability.

572 (3) The Department of Legal Affairs, the Department of  
573 Financial Services, or the Department of Agriculture and  
574 Consumer Services may contract with the department to provide or  
575 perform any of the services and functions described in s.  
576 282.0051.

577 (4) (a) This section or s. 282.0051 does not require the  
578 Department of Legal Affairs, the Department of Financial  
579 Services, or the Department of Agriculture and Consumer Services  
580 to integrate with any information technology outside its own  
581 department or contract with a credential service provider.

582 (b) The Florida Digital Service may not retrieve or publish  
583 data without a data sharing agreement in place between the  
584 Florida Digital Service and the Department of Legal Affairs, the  
585 Department of Financial Services, or the Department of  
586 Agriculture and Consumer Services, and may contract with the  
587 department to provide or perform any of the services and  
588 functions described in s. 282.0051 for the Department of Legal  
589 Affairs, the Department of Financial Services, or the Department  
590 of Agriculture and Consumer Services.



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591 Section 5. Paragraph (a) of subsection (3) of section  
592 282.318, Florida Statutes, is amended to read:

593 282.318 Security of data and information technology.—

594 (3) The department is responsible for establishing  
595 standards and processes consistent with generally accepted best  
596 practices for information technology security, to include  
597 cybersecurity, and adopting rules that safeguard an agency's  
598 data, information, and information technology resources to  
599 ensure availability, confidentiality, and integrity and to  
600 mitigate risks. The department shall also:

601 (a) Designate a state chief information security officer  
602 who shall report to the state chief information officer of the  
603 Florida Digital Service and is in the Senior Management Service.  
604 The state chief information security officer must have  
605 experience and expertise in security and risk management for  
606 communications and information technology resources.

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

609 287.0591 Information technology.—

610 (4) If the department issues a competitive solicitation for  
611 information technology commodities, consultant services, or  
612 staff augmentation contractual services, the Florida Digital  
613 Service ~~Division of State Technology~~ within the department shall  
614 participate in such solicitations.

615 Section 7. Paragraph (a) of subsection (3) of section  
616 365.171, Florida Statutes, is amended to read:

617 365.171 Emergency communications number E911 state plan.—

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

619 (a) "Office" means the Division of Telecommunications ~~State~~



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620 ~~Technology~~ within the Department of Management Services, as  
621 designated by the secretary of the department.

622 Section 8. Paragraph (s) of subsection (3) of section  
623 365.172, Florida Statutes, is amended to read:

624 365.172 Emergency communications number "E911."—

625 (3) DEFINITIONS.—Only as used in this section and ss.  
626 365.171, 365.173, 365.174, and 365.177, the term:

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

630 Section 9. Paragraph (a) of subsection (1) of section  
631 365.173, Florida Statutes, is amended to read:

632 365.173 Communications Number E911 System Fund.—

633 (1) REVENUES.—

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

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

643 943.0415 Cybercrime Office.—There is created within the  
644 Department of Law Enforcement the Cybercrime Office. The office  
645 may:

646 (5) Consult with the Florida Digital Service ~~Division of~~  
647 ~~State Technology~~ within the Department of Management Services in  
648 the adoption of rules relating to the information technology



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649 security provisions in s. 282.318.

650 Section 11. Effective January 1, 2021, section 559.952,  
651 Florida Statutes, is created to read:

652 559.952 Financial Technology Sandbox.-

653 (1) SHORT TITLE.-This section may be cited as the  
654 "Financial Technology Sandbox."

655 (2) CREATION OF THE FINANCIAL TECHNOLOGY SANDBOX.-There is  
656 created the Financial Technology Sandbox within the Office of  
657 Financial Regulation to allow financial technology innovators to  
658 test new products and services in a supervised, flexible  
659 regulatory sandbox using exceptions to specified general law and  
660 waivers of the corresponding rule requirements under defined  
661 conditions. The creation of a supervised, flexible regulatory  
662 sandbox provides a welcoming business environment for technology  
663 innovators and may lead to significant business growth.

664 (3) DEFINITIONS.-As used in this section, the term:

665 (a) "Business entity" means a domestic corporation or other  
666 organized domestic entity with a physical presence, other than  
667 that of a registered office or agent or virtual mailbox, in this  
668 state.

669 (b) "Commission" means the Financial Services Commission.

670 (c) "Consumer" means a person in this state, whether a  
671 natural person or a business entity, who purchases, uses,  
672 receives, or enters into an agreement to purchase, use, or  
673 receive an innovative financial product or service made  
674 available through the Financial Technology Sandbox.

675 (d) "Control person" means an individual, a partnership, a  
676 corporation, a trust, or other organization that possesses the  
677 power, directly or indirectly, to direct the management or





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678 policies of a company, whether through ownership of securities,  
679 by contract, or through other means. A person is presumed to  
680 control a company if, with respect to a particular company, that  
681 person:

682 1. Is a director, a general partner, or an officer  
683 exercising executive responsibility or having similar status or  
684 functions;

685 2. Directly or indirectly may vote 10 percent or more of a  
686 class of a voting security or sell or direct the sale of 10  
687 percent or more of a class of voting securities; or

688 3. In the case of a partnership, may receive upon  
689 dissolution or has contributed 10 percent or more of the  
690 capital.

691 (e) "Financial product or service" means a product or  
692 service related to a consumer finance loan, as defined in s.  
693 516.01, or a money transmitter and payment instrument seller, as  
694 defined in s. 560.103, including mediums of exchange that are in  
695 electronic or digital form, which is subject to general law or  
696 corresponding rule requirements in the sections enumerated in  
697 paragraph (4) (a) and which is under the jurisdiction of the  
698 office.

699 (f) "Financial Technology Sandbox" means the program  
700 created in this section which allows a licensee to make an  
701 innovative financial product or service available to consumers  
702 as a person who makes and collects consumer finance loans, as  
703 defined in s. 516.01, or as a money transmitter or payment  
704 instrument seller, as defined in s. 560.103, during a sandbox  
705 period through an exception to general laws or a waiver of rule  
706 requirements, or portions thereof, as specified in this section.



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707 (g) "Innovative" means new or emerging technology, or new  
708 uses of existing technology, which provides a product, service,  
709 business model, or delivery mechanism to the public and which is  
710 not known to have a comparable offering in this state outside  
711 the Financial Technology Sandbox.

712 (h) "Licensee" means a person who has been approved by the  
713 office to participate in the Financial Technology Sandbox.

714 (i) "Office" means, unless the context clearly indicates  
715 otherwise, the Office of Financial Regulation.

716 (j) "Sandbox period" means the period, initially not longer  
717 than 24 months, in which the office has:

718 1. Authorized an innovative financial product or service to  
719 be made available to consumers.

720 2. Granted the licensee who makes the innovative financial  
721 product or service available an exception to general law or a  
722 waiver of the corresponding rule requirements, as determined by  
723 the office, so that the authorization under subparagraph 1. is  
724 possible.

725 (4) EXCEPTIONS TO GENERAL LAW AND WAIVERS OF RULE  
726 REQUIREMENTS.—

727 (a) Notwithstanding any other law, upon approval of a  
728 Financial Technology Sandbox application, the office shall grant  
729 an applicant a license and a waiver of a requirement, or a  
730 portion thereof, which is imposed by rule as authorized by any  
731 of the following provisions of general law, if all of the  
732 conditions in paragraph (b) are met. If the application is  
733 approved for a person who otherwise would be subject to chapter  
734 516 or chapter 560, the following provisions are not applicable  
735 to the licensee:



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736 1. Section 516.03, except for the application fee for a  
737 license, the investigation fee, evidence of liquid assets of at  
738 least \$25,000, and the office's authority to make an  
739 investigation of the facts concerning the applicant's background  
740 as provided in s. 516.03(1). The office may prorate the license  
741 renewal fees for an extension granted under subsection (7).

742 2. Section 516.05, except for s. 516.05(4), (5), and (7)-  
743 (9).

744 3. Section 560.109, to the extent that it requires the  
745 office to examine a licensee at least once every 5 years.

746 4. Section 560.118, except for s. 560.118(1).

747 5. Section 560.125(1), to the extent that subsection would  
748 prohibit a licensee from engaging in the business of a money  
749 services business during the sandbox period; and s. 560.125(2),  
750 to the extent that subsection would prohibit a licensee from  
751 appointing an authorized vendor during the sandbox period.

752 6. Section 560.128.

753 7. Section 560.141, except for s. 560.141(1)(a)3., 8., 9.,  
754 and 10. and (1)(b), (c), and (d).

755 8. Section 560.142, except that the office may prorate, but  
756 may not entirely waive, the license renewal fees provided in ss.  
757 560.142 and 560.143 for an extension granted under subsection  
758 (7).

759 9. Section 560.143(2), to the extent necessary for  
760 proration of the renewal fee under subparagraph 8.

761 10. Section 560.204(1), to the extent that subsection would  
762 prohibit a licensee from engaging in, or advertising it engages  
763 in, the selling or issuing of payment instruments or in the  
764 activity of a money transmitter during the sandbox period.



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765 11. Section 560.205, except for s. 560.205(1), (3), and  
766 (4).

767 12. Section 560.208, except for s. 560.208(3)-(6).

768 13. Section 560.209, except that the office may modify, but  
769 may not entirely waive, the net worth, corporate surety bond,  
770 and collateral deposit amounts required under that section. The  
771 modified amounts must be in such lower amounts that the office  
772 determines to be commensurate with the considerations under  
773 paragraph (5)(d) and the maximum number of consumers authorized  
774 to receive the financial product or service under this section.

775 (b) The office may grant, during a sandbox period, an  
776 exception of a requirement, or a portion thereof, imposed by a  
777 general law or waiver of a corresponding rule in any section  
778 enumerated in paragraph (a) to a licensee, if all of the  
779 following conditions are met:

780 1. The general law or corresponding rule currently prevents  
781 the innovative financial product or service from being made  
782 available to consumers.

783 2. The exceptions or rule waivers are not broader than  
784 necessary to accomplish the purposes and standards specified in  
785 this section, as determined by the office.

786 3. No provision relating to the liability of an  
787 incorporator, a director, or an officer of the applicant is  
788 eligible for a waiver.

789 4. The other requirements of this section are met.

790 (5) FINANCIAL TECHNOLOGY SANDBOX APPLICATION; STANDARDS FOR  
791 APPROVAL.—

792 (a) Before filing an application for licensure under this  
793 section, a substantially affected person may seek a declaratory



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794 statement pursuant to s. 120.565 regarding the applicability of  
795 a statute, a rule, or an agency order to the petitioner's  
796 particular set of circumstances.

797 (b) Before making an innovative financial product or  
798 service available to consumers in the Financial Technology  
799 Sandbox, a person must file an application for licensure with  
800 the office. The commission shall, by rule, prescribe the form  
801 and manner of the application.

802 1. In the application, the person must specify the general  
803 law or rule requirements for which an exception or waiver is  
804 sought and the reasons why these requirements prevent the  
805 innovative financial product or service from being made  
806 available to consumers.

807 2. The application also must contain the information  
808 specified in paragraph (d).

809 (c)1. A business entity may file an application for  
810 licensure.

811 2. Before a person applies on behalf of a business entity  
812 intending to make an innovative financial product or service  
813 available to consumers, the person must obtain the consent of  
814 the business entity.

815 (d) The office shall approve or deny in writing a Financial  
816 Technology Sandbox application within 60 days after receiving  
817 the completed application. The office and the applicant may  
818 jointly agree to extend the time beyond 60 days. Consistent with  
819 this section, the office may impose conditions on any approval.  
820 In deciding whether to approve or deny an application for  
821 licensure, the office must consider each of the following:

822 1. The nature of the innovative financial product or



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823 service proposed to be made available to consumers in the  
824 Financial Technology Sandbox, including all relevant technical  
825 details.

826 2. The potential risk to consumers and the methods that  
827 will be used to protect consumers and resolve complaints during  
828 the sandbox period.

829 3. The business plan proposed by the applicant, including  
830 company information, market analysis, and financial projections  
831 or pro forma financial statements.

832 4. Whether the applicant has the necessary personnel,  
833 adequate financial and technical expertise, and a sufficient  
834 plan to test, monitor, and assess the innovative financial  
835 product or service.

836 5. If any control person of the applicant's innovative  
837 financial product or service has pled no contest to, has been  
838 convicted or found guilty of, or is currently under  
839 investigation for, fraud, a state or federal securities  
840 violation, a property-based offense, or a crime involving moral  
841 turpitude or dishonest dealing, the application to the Financial  
842 Technology Sandbox must be denied. A plea of no contest, a  
843 conviction, or a finding of guilt must be reported under this  
844 subparagraph regardless of adjudication.

845 6. A copy of the disclosures that will be provided to  
846 consumers under paragraph (6) (c).

847 7. The financial responsibility of any control person.

848 8. Any other factor that the office determines to be  
849 relevant.

850 (e) The office may not approve an application if:

851 1. The applicant had a prior Financial Technology Sandbox



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852 application that was approved and that related to a  
853 substantially similar financial product or service; or  
854 2. Any control person substantially involved in the  
855 development, operation, or management of the applicant's  
856 innovative financial product or service was substantially  
857 involved in such with another Financial Technology Sandbox  
858 applicant whose application was approved and whose application  
859 related to a substantially similar financial product or service.

860 (f) Upon approval of an application, the office shall  
861 specify the general law or rule requirements, or portions  
862 thereof, for which an exception or a waiver is granted during  
863 the sandbox period and the length of the initial sandbox period,  
864 not to exceed 24 months. The office shall post on its website  
865 notice of the approval of the application, a summary of the  
866 innovative financial product or service, and the contact  
867 information of the person making the financial product or  
868 service available.

869 (6) OPERATION OF THE FINANCIAL TECHNOLOGY SANDBOX.—

870 (a) A licensee under this section may make an innovative  
871 financial product or service available to consumers during the  
872 sandbox period.

873 (b) The office, on a case-by-case basis, may specify the  
874 maximum number of consumers authorized to receive an innovative  
875 financial product or service, after consultation with the person  
876 who makes the financial product or service available to  
877 consumers. The office may not authorize more than 15,000  
878 consumers to receive the financial product or service until the  
879 licensee who makes the financial product or service available to  
880 consumers has filed the first report required under subsection



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881 (8). After the filing of that report, if the licensee  
882 demonstrates adequate financial capitalization, risk management  
883 processes, and management oversight, the office may authorize up  
884 to 25,000 consumers to receive the financial product or service.

885 (c)1. Before a consumer purchases, uses, receives, or  
886 enters into an agreement to purchase, use, or receive an  
887 innovative financial product or service through the Financial  
888 Technology Sandbox, the licensee making the financial product or  
889 service available must provide a written statement of all of the  
890 following to the consumer:

891 a. The name and contact information of the person making  
892 the financial product or service available to consumers.

893 b. That the financial product or service has been  
894 authorized to be made available to consumers for a temporary  
895 period by the office, under the laws of this state.

896 c. That the state does not endorse the financial product or  
897 service.

898 d. That the financial product or service is undergoing  
899 testing, may not function as intended, and may entail financial  
900 risk.

901 e. That the licensee making the financial product or  
902 service available to consumers is not immune from civil  
903 liability for any losses or damages caused by the financial  
904 product or service.

905 f. The expected end date of the sandbox period.

906 g. The contact information for the office and notification  
907 that suspected legal violations, complaints, or other comments  
908 related to the financial product or service may be submitted to  
909 the office.





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910 h. Any other statements or disclosures required by rule of  
911 the commission which are necessary to further the purposes of  
912 this section.

913 2. The written statement must contain an acknowledgement  
914 from the consumer, which must be retained for the duration of  
915 the sandbox period by the licensee making the financial product  
916 or service available.

917 (d) The office may enter into an agreement with a state,  
918 federal, or foreign regulatory agency to allow persons who make  
919 an innovative financial product or service available in this  
920 state through the Financial Technology Sandbox to make their  
921 products or services available in other jurisdictions. The  
922 commission shall adopt rules to implement this paragraph.

923 (e) The office may examine the records of a licensee at any  
924 time, with or without prior notice.

925 (7) EXTENSIONS AND CONCLUSION OF SANDBOX PERIOD.—

926 (a) A licensee may apply for an extension of the initial  
927 sandbox period for up to 12 additional months for a purpose  
928 specified in subparagraph (b)1. or subparagraph (b)2. A complete  
929 application for an extension must be filed with the office at  
930 least 90 days before the conclusion of the initial sandbox  
931 period. The office shall approve or deny the application for  
932 extension in writing at least 35 days before the conclusion of  
933 the initial sandbox period. In deciding to approve or deny an  
934 application for extension of the sandbox period, the office  
935 must, at a minimum, consider the current status of the factors  
936 previously considered under paragraph (5) (d).

937 (b) An application for an extension under paragraph (a)  
938 must cite one of the following reasons as the basis for the



939 application and must provide all relevant supporting information  
940 that:

941 1. Amendments to general law or rules are necessary to  
942 offer the innovative financial product or service in this state  
943 permanently.

944 2. An application for a license that is required in order  
945 to offer the innovative financial product or service in this  
946 state permanently has been filed with the office, and approval  
947 is pending.

948 (c) At least 30 days before the conclusion of the initial  
949 sandbox period or the extension, whichever is later, a licensee  
950 shall provide written notification to consumers regarding the  
951 conclusion of the initial sandbox period or the extension and  
952 may not make the financial product or service available to any  
953 new consumers after the conclusion of the initial sandbox period  
954 or the extension, whichever is later, until legal authority  
955 outside of the Financial Technology Sandbox exists for the  
956 licensee to make the financial product or service available to  
957 consumers. After the conclusion of the sandbox period or the  
958 extension, whichever is later, the licensee may:

959 1. Collect and receive money owed to the person or pay  
960 money owed by the person, based on agreements with consumers  
961 made before the conclusion of the sandbox period or the  
962 extension.

963 2. Take necessary legal action.

964 3. Take other actions authorized by commission rule which  
965 are not inconsistent with this subsection.

966 (8) REPORT.—A licensee shall submit a report to the office  
967 twice a year as prescribed by commission rule. The report must,



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968 at a minimum, include financial reports and the number of  
969 consumers who have received the financial product or service.

970 (9) CONSTRUCTION.—A person whose Financial Technology  
971 Sandbox application is approved is deemed licensed under this  
972 section and is subject to chapter 516 or chapter 560 with the  
973 applicable exceptions to general law or waiver of the rule  
974 requirements of chapter 516 or chapter 560 specified under  
975 paragraph (4) (a), unless the person's license has been revoked  
976 or suspended. Notwithstanding s. 560.204(2), a licensee may not  
977 engage in activities authorized under part III of chapter 560.

978 (10) VIOLATIONS AND PENALTIES.—

979 (a) A licensee who makes an innovative financial product or  
980 service available to consumers in the Financial Technology  
981 Sandbox is:

982 1. Not immune from civil damages for acts and omissions  
983 relating to this section.

984 2. Subject to all criminal and any other statute not  
985 specifically excepted under paragraph (4) (a).

986 (b)1. The office may, by order, revoke or suspend a license  
987 of a person to make an innovative financial product or service  
988 available to consumers if:

989 a. The person has violated or refused to comply with this  
990 section, a rule of the commission, an order of the office, or a  
991 condition placed by the office on the approval of the person's  
992 Financial Technology Sandbox application;

993 b. A fact or condition exists that, if it had existed or  
994 become known at the time that the Financial Technology Sandbox  
995 application was pending, would have warranted denial of the  
996 application or the imposition of material conditions;



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997 c. A material error, false statement, misrepresentation, or  
998 material omission was made in the Financial Technology Sandbox  
999 application; or

1000 d. After consultation with the licensee, the office  
1001 determines that continued testing of the innovative financial  
1002 product or service would:

1003 (I) Be likely to harm consumers; or

1004 (II) No longer serve the purposes of this section because  
1005 of the financial or operational failure of the financial product  
1006 or service.

1007 2. Written notice of a revocation or suspension order made  
1008 under subparagraph 1. must be served using any means authorized  
1009 by law. If the notice relates to a suspension, the notice must  
1010 include any condition or remedial action that the person must  
1011 complete before the office lifts the suspension.

1012 (c) The office may refer any suspected violation of law to  
1013 an appropriate state or federal agency for investigation,  
1014 prosecution, civil penalties, and other appropriate enforcement  
1015 action.

1016 (d) If service of process on a person making an innovative  
1017 financial product or service available to consumers in the  
1018 Financial Technology Sandbox is not feasible, service on the  
1019 office is deemed service on such person.

1020 (11) RULES AND ORDERS.—

1021 (a) The commission shall adopt rules to administer this  
1022 section.

1023 (b) The office may issue all necessary orders to enforce  
1024 this section and may enforce these orders in accordance with  
1025 chapter 120 or in any court of competent jurisdiction. These



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1026 orders include, but are not limited to, orders for payment of  
1027 restitution for harm suffered by consumers as a result of an  
1028 innovative financial product or service.

1029 Section 12. For the 2020-2021 fiscal year, the sum of  
1030 \$50,000 in nonrecurring funds is appropriated from the  
1031 Administrative Trust Fund to the Office of Financial Regulation  
1032 to implement s. 559.952, Florida Statutes, as created by this  
1033 act.

1034 Section 13. Except as otherwise expressly provided in this  
1035 act, this act shall take effect July 1, 2020.

1036  
1037 ===== T I T L E A M E N D M E N T =====

1038 And the title is amended as follows:

1039 Delete everything before the enacting clause  
1040 and insert:

1041 A bill to be entitled  
1042 An act relating to technology innovation; amending s.  
1043 20.22, F.S.; renaming the Division of State Technology  
1044 within the Department of Management Services as the  
1045 Division of Telecommunications; deleting provisions  
1046 relating to the appointment of the Division of State  
1047 Technology's director and qualifications for the state  
1048 chief information officer; adding the Florida Digital  
1049 Service to the department; amending s. 282.0041, F.S.;  
1050 defining terms; revising the definition of the term  
1051 "open data"; amending s. 282.0051, F.S.; establishing  
1052 the Florida Digital Service within the department;  
1053 transferring specified powers, duties, and functions  
1054 of the department to the Florida Digital Service and



1055 revising such powers, duties, and functions; providing  
1056 for designations of a state chief information officer  
1057 and a chief data officer and specifying their duties;  
1058 specifying duties of, and authorized actions by, the  
1059 Florida Digital Service pursuant to legislative  
1060 appropriation; providing duties of, and authorized  
1061 actions by, the department, subject to legislative  
1062 authorization and appropriation; authorizing the  
1063 Florida Digital Service to adopt rules; amending s.  
1064 282.00515, F.S.; revising standards that the  
1065 Department of Legal Affairs, the Department of  
1066 Financial Services, and the Department of Agriculture  
1067 and Consumer Services must adopt; specifying  
1068 notification requirements to the Governor and the  
1069 Legislature if such an agency adopts alternative  
1070 standards; providing construction; prohibiting the  
1071 Florida Digital Service from retrieving or publishing  
1072 data without a data sharing agreement with such an  
1073 agency; amending ss. 282.318, 287.0591, 365.171,  
1074 365.172, 365.173, and 943.0415, F.S.; conforming  
1075 provisions to changes made by the act; creating s.  
1076 559.952, F.S.; providing a short title; creating the  
1077 Financial Technology Sandbox within the Office of  
1078 Financial Regulation; defining terms; requiring the  
1079 office, if certain conditions are met, to grant a  
1080 license to a Financial Technology Sandbox applicant,  
1081 grant exceptions to specified provisions of general  
1082 law relating to consumer finance loans and money  
1083 services businesses, and grant waivers of certain



1084 rules; authorizing a substantially affected person to  
1085 seek a declaratory statement before applying to the  
1086 Financial Technology Sandbox; specifying application  
1087 requirements and procedures; specifying requirements,  
1088 restrictions, and procedures for the office in  
1089 reviewing and approving or denying applications;  
1090 requiring the office to post on its website certain  
1091 information relating to approved applications;  
1092 specifying authorized actions of, limitations on, and  
1093 requirements for licensees operating in the Financial  
1094 Technology Sandbox; specifying disclosure requirements  
1095 for licensees to consumers; authorizing the office to  
1096 enter into certain agreements with other regulatory  
1097 agencies; authorizing the office to examine licensee  
1098 records; authorizing a licensee to apply for an  
1099 extension of an initial sandbox period for a certain  
1100 timeframe; specifying requirements and procedures for  
1101 applying for an extension; specifying requirements and  
1102 procedures for, and authorized actions of, licensees  
1103 when concluding a sandbox period or extension;  
1104 requiring licensees to submit certain reports to the  
1105 office at specified intervals; providing construction;  
1106 specifying the liability of a licensee; authorizing  
1107 the office to take certain disciplinary actions  
1108 against a licensee under certain circumstances;  
1109 providing construction relating to service of process;  
1110 specifying the rulemaking authority of the Financial  
1111 Services Commission; providing the office authority to  
1112 issue orders and enforce the orders; providing an



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1113

appropriation; providing effective dates.