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A bill to be entitled
An act relating to information technology procurement and contracting; amending s. 20.22, F.S.; providing that the Bureau of Management and Oversight is within the Florida Digital Service; amending s. 282.0041, F.S.; revising and providing definitions; amending s. 282.0051, F.S.; revising the duties and responsibilities of the Florida Digital Service; requiring the Florida Digital Service to manage certain contracts, report certain information to specified parties annually, and adopt certain rules; creating s. 282.00513, F.S.; creating the Bureau of State Enterprise Project Management and Oversight within the Florida Digital Service; providing duties and responsibilities of the bureau; requiring certain parties to designate a chief of the bureau; creating s. 282.00514, F.S.; requiring state agencies include specified information in certain solicitations and contracts; requiring state agencies to follow certain processes and use certain forms in certain circumstances; requiring the Florida Digital Service to provide consultation and work cooperatively with specified entities in certain circumstances; requiring certain state agencies take certain actions involving specified contracts; requiring state agencies provide

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26 information in a specified format; amending s.
27 282.00515, F.S.; conforming provisions to changes made
28 by the act; amending s. 287.057, F.S.; requiring the
29 Department of Management services to maintain a
30 specified repository for certain records; creating s.
31 287.0583, F.S.; providing contract requirements for
32 certain information technology commodities and
33 services; amending s. 287.0591, F.S.; revising
34 requirements for information technology competitive
35 solicitations; providing an effective date.
36

37 Be It Enacted by the Legislature of the State of Florida:
38

39 **Section 1. Paragraph (b) of subsection (2) of section
40 20.22, Florida Statutes, is amended to read:**

41 20.22 Department of Management Services.—There is created
42 a Department of Management Services.

43 (2) The following divisions, programs, and services within
44 the Department of Management Services are established:

45 (b) The Florida Digital Service, which shall include the
46 Bureau of Enterprise Project Management and Oversight.

47 **Section 2. Subsections (24) through (38) of section
48 282.0041, Florida Statutes, are renumbered as subsections (25)
49 through (39), respectively, subsections (28) and (30) are
50 amended, and a new subsection (24) is added to that section, to**

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51 **read:**

52 282.0041 Definitions.—As used in this chapter, the term:

53 (24) "Major information technology system" means an
54 information technology system with a total cost of ownership of
55 \$10 million or more, which directly serves or impacts end users
56 in the delivery of constituent-facing services or which supports
57 mission-critical operations essential to a state agency's
58 statutory duties or core business functions.59 (28) ~~(27)~~ "Project oversight" means an independent review
60 and assessment analysis of an information technology project
61 that provides information on the project's scope, completion
62 timeframes, performance measurement, and budget and that
63 identifies and quantifies issues or risks affecting the
64 successful and timely completion of the project.65 (30) ~~(29)~~ "Risk assessment" means the process of
66 identifying operational risks and security risks, determining
67 their magnitude, and identifying areas needing safeguards.68 **Section 3. Section 282.0051, Florida Statutes, is amended**
69 **to read:**70 282.0051 Department of Management Services; Florida
71 Digital Service; powers, duties, and functions.—72 (1) The Florida Digital Service is has been created within
73 the department to propose innovative solutions that securely
74 modernize state government, including technology and information
75 services, to achieve value through digital transformation and

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76 interoperability, and to fully support the cloud-first policy as
77 specified in s. 282.206. The ~~department, through the~~ Florida
78 Digital Service, shall ~~have the following powers, duties, and~~
79 ~~functions:~~

80 (a) Develop and publish information technology policy for
81 the management of the state's information technology resources.

82 (b) Develop an enterprise architecture that:

83 1. Acknowledges the unique needs of the entities within
84 the enterprise in the development and publication of standards
85 and terminologies to facilitate digital interoperability;

86 2. Supports the cloud-first policy as specified in s.
87 282.206; and

88 3. Addresses how information technology infrastructure may
89 be modernized to achieve cloud-first objectives.

90 (c) Establish project management and oversight standards
91 with which state agencies must comply when implementing
92 information technology projects. The ~~department, acting through~~
93 ~~the~~ Florida Digital Service, shall update the provide training
94 ~~opportunities to state agencies to assist in the adoption of the~~
95 ~~project management and oversight standards at least once every 2~~
96 ~~years, incorporating best practices from the public and private~~
97 ~~sectors, as well as any lessons learned by state agencies. When~~
98 ~~updating the standards, the Florida Digital Service shall~~
99 ~~solicit input from all state agencies. To support data-driven~~
100 ~~decisionmaking, the standards must include, but are not limited~~

101 to:

102 1. Performance measurements and metrics that objectively
103 ~~assess reflect the progress and risks status~~ of an information
104 technology project ~~through performance baselines and monitoring~~
105 ~~mechanisms to determine whether the project is performing as~~
106 ~~planned and delivering the intended outcomes based on a defined~~
107 ~~and documented project scope, cost, and schedule.~~

108 2. Methodologies for calculating acceptable variances
109 ~~between the planned and in the projected versus actual scope of~~
110 ~~a technology project which provide clear thresholds to guide~~
111 ~~corrective actions. Such methodologies must account for project~~
112 ~~complexity and scale, schedule, performance, quality, and the or~~
113 cost of an information technology project.

114 3. Reporting requirements, including requirements designed
115 to alert all defined stakeholders ~~when that~~ an information
116 technology project has exceeded acceptable variances ~~and~~
117 ~~specifying procedures for escalating critical issues to~~
118 ~~appropriate individuals defined and documented in a project~~
119 ~~plan.~~

120 4. Content, format, and frequency of project updates.

121 5. Technical standards to ensure an information technology
122 project complies with the enterprise architecture, ~~including~~
123 ~~interoperability, security, scalability, and data management~~
124 ~~requirements.~~

125 6. Mechanisms for engaging stakeholders throughout a

126 project's life cycle.

127 (d) Provide training opportunities to state agencies
128 regarding the project management and oversight standards.

129 (e) (d) Perform project oversight on all state agency
130 information technology projects that have total project costs of
131 \$10 million or more and that are funded in the General
132 Appropriations Act or any other law. The department, acting
133 through the Florida Digital Service, shall report at least
134 quarterly to the Executive Office of the Governor, the President
135 of the Senate, and the Speaker of the House of Representatives
136 on any information technology project that the Florida Digital
137 Service department identifies as high-risk due to the project
138 exceeding the acceptable project variance thresholds provided in
139 the project management and oversight standards ranges defined
140 and documented in a project plan. The report must include:

141 1. A risk assessment, including fiscal risks, associated
142 with proceeding to the next stage of the project.

143 2. Recommendations, and a recommendation for corrective
144 actions required, including suspension or termination of the
145 project.

146 3. A list of all projects with a performance deficiency,
147 reported pursuant to s. 287.057(26) (d)1., which has not been
148 corrected by the vendor as of the end of the reporting period.

149 (f) (e) Identify opportunities for standardization and
150 consolidation of information technology services that support

151 interoperability and the cloud-first policy, as specified in s.
152 282.206, and business functions and operations, including
153 administrative functions such as purchasing, accounting and
154 reporting, cash management, and personnel, and that are common
155 across state agencies. The ~~department, acting through the~~
156 Florida Digital Service, shall biennially on January 15 of
157 each odd-numbered ~~even-numbered~~ year provide recommendations for
158 standardization and consolidation to the ~~Executive Office of the~~
159 Governor, the President of the Senate, and the Speaker of the
160 House of Representatives.

161 (g)-(f) Establish best practices for the procurement of
162 information technology products and cloud-computing services in
163 order to reduce costs, increase the quality of data center
164 services, or improve government services.

165 (h)-(g) Develop standards for information technology
166 reports and updates, including, but not limited to, operational
167 work plans, project spend plans, and project status reports, for
168 use by state agencies.

169 (i)-(h) Upon request, assist state agencies in the
170 development of information technology-related legislative budget
171 requests.

172 (j)-(i) Conduct annual assessments of state agencies to
173 determine compliance with all information technology standards
174 and guidelines developed and published by the department and
175 provide results of the assessments to ~~the Executive Office of~~

176 the Governor, the President of the Senate, and the Speaker of
177 the House of Representatives.

178 (j) ~~Conduct a market analysis not less frequently than~~
179 ~~every 3 years beginning in 2021 to determine whether the~~
180 ~~information technology resources within the enterprise are~~
181 ~~utilized in the most cost-effective and cost-efficient manner,~~
182 ~~while recognizing that the replacement of certain legacy~~
183 ~~information technology systems within the enterprise may be cost~~
184 ~~prohibitive or cost inefficient due to the remaining useful life~~
185 ~~of those resources; whether the enterprise is complying with the~~
186 ~~cloud-first policy specified in s. 282.206; and whether the~~
187 ~~enterprise is utilizing best practices with respect to~~
188 ~~information technology, information services, and the~~
189 ~~acquisition of emerging technologies and information services.~~
190 ~~Each market analysis shall be used to prepare a strategic plan~~
191 ~~for continued and future information technology and information~~
192 ~~services for the enterprise, including, but not limited to,~~
193 ~~proposed acquisition of new services or technologies and~~
194 ~~approaches to the implementation of any new services or~~
195 ~~technologies. Copies of each market analysis and accompanying~~
196 ~~strategic plan must be submitted to the Executive Office of the~~
197 ~~Governor, the President of the Senate, and the Speaker of the~~
198 ~~House of Representatives not later than December 31 of each year~~
199 ~~that a market analysis is conducted.~~

200 (k) Recommend ~~other~~ information technology services that

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201 should be designed, delivered, and managed as enterprise
202 information technology services. Recommendations must include
203 the identification of existing information technology resources
204 associated with the services, if existing services must be
205 transferred as a result of being delivered and managed as
206 enterprise information technology services. The recommendations
207 must be submitted to the Governor, the President of the Senate,
208 and the Speaker of the House of Representatives no later than
209 January 15 of each odd-numbered year.

210 (1) In consultation with state agencies, propose a
211 methodology and approach for identifying and collecting both
212 current and planned information technology expenditure data at
213 the state agency level.

214 (m)1. Notwithstanding any other law, provide project
215 oversight on any information technology project of the
216 Department of Financial Services, the Department of Legal
217 Affairs, and the Department of Agriculture and Consumer Services
218 which has a total project cost of \$20 million or more. Such
219 information technology projects must also comply with the
220 applicable information technology architecture, project
221 management and oversight, and reporting standards established by
222 the ~~department, acting through the~~ Florida Digital Service.

223 2. When performing the project oversight function
224 specified in subparagraph 1., report at least quarterly to the
225 ~~Executive Office of the~~ Governor, the President of the Senate,

226 and the Speaker of the House of Representatives on any
227 information technology project that the ~~department, acting~~
228 ~~through the~~ Florida Digital Service, identifies as high-risk due
229 to the project exceeding the established acceptable project
230 variance thresholds ~~ranges defined and documented in the project~~
231 ~~plan~~. The report shall include a risk assessment, including
232 fiscal risks, associated with proceeding to the next stage of
233 the project and a recommendation for corrective actions
234 required, including suspension or termination of the project.

235 ~~(n) If an information technology project implemented by a~~
236 ~~state agency must be connected to or otherwise accommodated by~~
237 ~~an information technology system administered by the Department~~
238 ~~of Financial Services, the Department of Legal Affairs, or the~~
239 ~~Department of Agriculture and Consumer Services, consult with~~
240 ~~these departments regarding the risks and other effects of such~~
241 ~~projects on their information technology systems and work~~
242 ~~cooperatively with these departments regarding the connections,~~
243 ~~interfaces, timing, or accommodations required to implement such~~
244 ~~projects.~~

245 ~~(n) (e) If adherence to standards or policies adopted by or~~
246 ~~established pursuant to this section causes conflict with~~
247 ~~federal regulations or requirements imposed on an entity within~~
248 ~~the enterprise and results in adverse action against an entity~~
249 ~~or federal funding, work with the entity to provide alternative~~
250 ~~standards, policies, or requirements that do not conflict with~~

251 the federal regulation or requirement. The ~~department~~, acting
252 through the Florida Digital Service, shall annually report each
253 January 15 such alternative standards to the ~~Executive Office of~~
254 ~~the~~ Governor, the President of the Senate, and the Speaker of
255 the House of Representatives.

256 (o) (p)1. Establish an information technology policy for
257 all information technology-related state contracts, including
258 state term contracts for information technology commodities,
259 consultant services, and staff augmentation services. The
260 information technology policy must include:

261 a. Identification of the information technology product
262 and service categories to be included in state term contracts.

263 b. Requirements to be included in solicitations for ~~state~~
264 ~~term~~ contracts.

265 c. Evaluation criteria for the award of information
266 technology-related ~~state term~~ contracts.

267 d. The term of each information technology-related state
268 term contract.

269 e. The maximum number of vendors authorized on each state
270 term contract.

271 f. At a minimum, a requirement that any contract for
272 information technology commodities or services meet the National
273 Institute of Standards and Technology Cybersecurity Framework.

274 g. For an information technology project wherein project
275 oversight is required pursuant to paragraph (e) (d) or paragraph

276 (m), a requirement that independent verification and validation
277 be employed throughout the project life cycle with the primary
278 objective of independent verification and validation being to
279 provide an objective assessment of products and processes
280 throughout the project life cycle. An entity providing
281 independent verification and validation may not have technical,
282 managerial, or financial interest in the project and may not
283 have responsibility for, or participate in, any other aspect of
284 the project.

285 2. Evaluate vendor responses for information technology-
286 related state term contract solicitations and invitations to
287 negotiate.

288 3. Answer vendor questions on information technology-
289 related state term contract solicitations.

290 4. Ensure that the information technology policy
291 established pursuant to subparagraph 1. is included in all
292 solicitations and contracts that are ~~administratively~~ executed
293 by the department.

294 (p) ~~(q)~~ Recommend potential methods for standardizing data
295 across state agencies which will promote interoperability and
296 reduce the collection of duplicative data.

297 (q) ~~(r)~~ Recommend open data technical standards and
298 terminologies for use by the enterprise.

299 (r) ~~(s)~~ Ensure that enterprise information technology
300 solutions are capable of utilizing an electronic credential and

301 comply with the enterprise architecture standards.

302 (s) Review all state agency information technology
303 legislative budget requests to identify compliance issues
304 related to the enterprise architecture, project planning
305 standards, and cybersecurity.

306 (t) Identify efficiency opportunities in the use of
307 information technology resources.

308 (u) Submit recommendations for improvement or any
309 statutory changes necessary to implement the improvements to the
310 Governor, the President of the Senate, and the Speaker of the
311 House of Representatives no later than November 15 of each year.

312 (v) Develop and publish, in collaboration with the
313 enterprise, a data dictionary for each agency that reflects the
314 nomenclature in the comprehensive indexed data catalog.

315 (w) Each December 1, compile an enterprise report of major
316 information technology systems approaching end-of-life within 5
317 fiscal years after such December 1, and submit the report to the
318 Governor, the President of the Senate, and the Speaker of the
319 House of Representatives. For purposes of this paragraph, "end-
320 of-life" means the point at which an information technology
321 resource no longer receives vendor support, uses obsolete
322 technology, cannot be adequately maintained, or fails to meet
323 enterprise architecture standards. The report must:

324 1. Describe each major information technology system,
325 including its primary functions, user base, and dependencies

326 with other systems.

327 2. Provide the age, projected end-of-life date, technology
platform, and vendor support status of such system.

329 3. Identify the risks to operations, service delivery, or
cybersecurity if such system reaches end-of-life without
replacement.

332 4. Describe the plan for such system's replacement,
modernization, or retirement.

334 (2) (a) The Secretary of Management Services shall
335 designate a state chief information officer, who shall
336 administer the Florida Digital Service. The state chief
337 information officer, prior to appointment, must have at least 5
338 years of experience in the development of information system
339 strategic planning and development or information technology
340 policy, and, preferably, have leadership-level experience in the
341 design, development, and deployment of interoperable software
342 and data solutions.

343 (b) The state chief information officer, in consultation
344 with the Secretary of Management Services, shall designate a
345 state chief data officer. The chief data officer must be a
346 proven and effective administrator who must have significant and
347 substantive experience in data management, data governance,
348 interoperability, and security.

349 (3) The ~~department, acting through the~~ Florida Digital
350 Service ~~and from funds appropriated to the~~ Florida Digital

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351 ~~Service~~, shall:

352 (a) ~~Create, not later than December 1, 2022, and maintain~~
353 a comprehensive indexed data catalog in collaboration with the
354 enterprise that lists the data elements housed within the
355 enterprise and the legacy system or application in which these
356 data elements are located. The data catalog must, at a minimum,
357 specifically identify all data that is restricted from public
358 disclosure based on federal or state laws and regulations and
359 require that all such information be protected in accordance
360 with s. 282.318.

361 (4) The Florida Digital Service shall manage all
362 independent verification and validation contracts for state
363 agencies entered into or amended on or after July 1, 2026.

364 (b) ~~Develop and publish, not later than December 1, 2022,~~
365 ~~in collaboration with the enterprise, a data dictionary for each~~
366 ~~agency that reflects the nomenclature in the comprehensive~~
367 ~~indexed data catalog.~~

368 (c) ~~Adopt, by rule, standards that support the creation~~
369 ~~and deployment of an application programming interface to~~
370 ~~facilitate integration throughout the enterprise.~~

371 (d) ~~Adopt, by rule, standards necessary to facilitate a~~
372 ~~secure ecosystem of data interoperability that is compliant with~~
373 ~~the enterprise architecture.~~

374 (e) ~~Adopt, by rule, standards that facilitate the~~
375 ~~deployment of applications or solutions to the existing~~

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376 enterprise system in a controlled and phased approach.

377 (f) After submission of documented use cases developed in
378 conjunction with the affected agencies, assist the affected
379 agencies with the deployment, contingent upon a specific
380 appropriation therefor, of new interoperable applications and
381 solutions:

382 1. For the Department of Health, the Agency for Health
383 Care Administration, the Agency for Persons with Disabilities,
384 the Department of Education, the Department of Elderly Affairs,
385 and the Department of Children and Families.

386 2. To support military members, veterans, and their
387 families.

388 (5)(4) For information technology projects that have a
389 total project cost of \$10 million or more, the Florida Digital
390 Service shall:

391 (a) No later than January 1, 2027, establish a
392 presolicitation planning framework that includes standards,
393 procedures, forms, and guidance that state agencies must follow
394 before issuing a competitive solicitation provide the Florida
395 Digital Service with written notice of any planned procurement
396 of an information technology project.

397 (b) The Florida Digital Service must participate in the
398 development of specifications and recommend modifications to any
399 planned procurement of an information technology project by
400 state agencies so that the procurement complies with the

401 enterprise architecture and the presolicitation planning
402 framework.

403 (c) Certify that a state agency has complied with the
404 presolicitation planning framework and is ready to initiate the
405 planned procurement. The Florida Digital Service shall withhold
406 certification for any project that does not comply with the
407 established presolicitation planning framework.

408 (d) (e) The Florida Digital Service must Participate in
409 post-award contract monitoring, including risk oversight and
410 monitoring for issues or situations that should be elevated to
411 ensure timely resolution of the issue or situation.

412 (6) (5) The department, acting through the Florida Digital
413 Service, may not retrieve or disclose any data without a shared-
414 data agreement in place between the Florida Digital Service
415 department and the enterprise entity that has primary custodial
416 responsibility of, or data-sharing responsibility for, that
417 data. The Florida Digital Service shall report to the Governor,
418 the President of the Senate, and the Speaker of the House of
419 Representatives each January 15 any failure to reach a shared-
420 data agreement with a state agency that prevents the Florida
421 Digital Service from fulfilling its duties and responsibilities.

422 (7) (6) The department, acting through the Florida Digital
423 Service, shall adopt rules:

424 (a) To administer this section.
425 (b) To support the creation and deployment of an

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426 application programming interface to facilitate integration
427 throughout the enterprise.

428 (c) Necessary to facilitate a secure ecosystem of data
429 interoperability which is compliant with the enterprise
430 architecture.

431 (d) To facilitate the deployment of applications or
432 solutions to the existing enterprise system in a controlled and
433 phased approach.

434 **Section 4. Section 282.00513, Florida Statutes, is created**
435 **to read:**

436 282.00513 Bureau of Enterprise Project Management and
437 Oversight; duties.—

438 (1) There is created a Bureau of Enterprise Project
439 Management and Oversight within the Florida Digital Service,
440 which shall:

441 (a) Oversee the procurement of information technology
442 commodities and services by state agencies.

443 (b) Oversee the performance of vendors under information
444 technology contracts for commodities or services entered into by
445 state agencies.

446 (c) Develop a framework that provides processes,
447 activities, and deliverables state agencies must comply with
448 when planning an information technology project. The processes,
449 activities, and deliverables must include, but are not limited
450 to:

451 1. Business case development. The business case
452 development must include the information required by s.
453 287.0571(4), full life cycle cost estimates, governance
454 structure, system interoperability goals, data management plans,
455 scalability approach, evaluation of cybersecurity and data
456 privacy risks, and technology-specific performance metrics and
457 service levels.

458 2. Market research, including the use of a request for
459 information as defined in s. 287.012.

460 3. Planning and scheduling.

461 4. Stakeholder engagement.

462 5. Risk assessment.

463 6. Procurement strategy.

464 7. Project governance definition.

465 8. System design and requirements.

466 9. Change management.

467 10. Monitoring and reporting.

468 11. Postimplementation review and planning.

469 12. Solicitation documentation.

470 (d) Develop forms for state agencies to use to evaluate
471 and report the performance of information technology vendors in
472 the delivery of information technology commodities or services
473 on or before January 1, 2027.

474 (e) Develop trainings specific to information technology
475 that supplement and enhance the trainings offered by the

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476 department and the Chief Financial Officer under s.

477 287.057(15)(b). The bureau shall evaluate such training every 2
478 years to assess the effectiveness and update the training
479 curriculum. The training must be designed to:

480 1. Address the unique requirements and risk profiles of
481 state information technology projects, procurements, contract
482 management, and vendor management.

483 2. Improve the technical understanding of the job
484 requirements, certifications, and skill sets required by state
485 agencies recruiting for information technology roles.

486 (2) The state chief information officer, in consultation
487 with the Secretary of Management Services, shall designate a
488 chief of the Bureau of Enterprise Project Management and
489 Oversight. The chief must have demonstrable experience in the
490 governance of large-scale public sector information technology
491 initiatives and portfolios, negotiation and management of
492 information technology contracts, modular contracting and
493 delivery, and performance management.

494 **Section 5. Section 282.00514, Florida Statutes, is created**
495 **to read:**

496 282.00514 Duties of state agencies.—
497 (1) State agencies must include the information technology
498 policy adopted pursuant to s. 282.0051(1)(o) in all
499 solicitations and contracts for information technology
500 commodities or services.

501 (2) State agencies must follow the processes and use the
502 forms developed by the Bureau of Enterprise Project Management
503 and Oversight to evaluate and report the performance of
504 information technology vendors in the delivery of information
505 technology commodities or services.

506 (3) If an information technology project implemented by a
507 state agency must be connected to or otherwise accommodated by
508 an information technology system administered by the Department
509 of Financial Services, the Department of Legal Affairs, or the
510 Department of Agriculture and Consumer Services, the Florida
511 Digital Service must consult with these departments regarding
512 the risks and other effects of such projects on their
513 information technology systems and work cooperatively with these
514 departments regarding the connections, interfaces, timing, or
515 accommodations required to implement such projects.

516 (4) For information technology projects that have a total
517 project cost of \$10 million or more, state agencies:

518 (a) Must provide the Florida Digital Service with written
519 notice of any planned procurement of an information technology
520 project, the proposed scope, the project specifications, and the
521 project business case at least 90 days before the planned
522 publication date of the competitive solicitation.

523 (b) Must receive certification by the Florida Digital
524 Service that the project planning complies with the
525 presolicitation planning framework established by the Florida

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526 Digital Service before any competitive solicitation related to
527 an information technology project may be issued.

528 (c) Must provide the Florida Digital Service all
529 information necessary for the Florida Digital Service to fulfill
530 its project oversight responsibilities.

531 (5) State agencies must provide the information required
532 to complete the report in s. 282.0051(1) (w) in a format and
533 manner prescribed by the Florida Digital Service and must
534 certify the information provided is accurate and complete to the
535 best of their knowledge as of the submission date.

536 **Section 6. Subsections (1) and (3) and paragraph (b) of**
537 **subsection (4) of section 282.00515, Florida Statutes, are**
538 **amended to read:**

539 282.00515 Duties of Cabinet agencies.—

540 (1) The Department of Legal Affairs, the Department of
541 Financial Services, and the Department of Agriculture and
542 Consumer Services shall adopt the standards established in s.
543 282.0051(1) (b), (c), and (q) and (7) (d) s. 282.0051(1) (b), (c),
544 and (r) and (3) (e) or adopt alternative standards based on best
545 practices and industry standards that allow for open data
546 interoperability.

547 (3) The Department of Legal Affairs, the Department of
548 Financial Services, and the Department of Agriculture and
549 Consumer Services may contract with the Florida Digital Service
550 ~~department~~ to provide or perform any of the services and

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551 functions described in s. 282.0051.

552 (4)

553 (b) The ~~department~~, acting through the Florida Digital
554 Service, may not retrieve or disclose any data without a shared-
555 data agreement in place between the Florida Digital Service
556 ~~department~~ and the Department of Legal Affairs, the Department
557 of Financial Services, or the Department of Agriculture and
558 Consumer Services.

559 **Section 7. Paragraph (e) is added to subsection (26) of
560 section 287.057, Florida Statutes, to read:**

561 287.057 Procurement of commodities or contractual
562 services.—

563 (26)

564 (e) The department must maintain a centralized repository
565 of vendor performance records developed by the continuing
566 oversight teams for information technology services contracts.

567 **Section 8. Section 287.0583, Florida Statutes, is created
568 to read:**

569 287.0583 Contract requirements for information technology
570 commodities or services.—A contract for information technology
571 commodities or services involving the development,
572 customization, implementation, integration, support or
573 maintenance of software systems, applications, platforms, or
574 related services must ensure the following:

575 (1) Any data created, processed, or maintained under the

576 contract is portable and can be extracted in a machine-readable
577 format upon request.

578 (2) The vendor will provide, upon request, comprehensive
579 operational documentation sufficient to allow continued
580 operation and maintenance by the agency or a new vendor.

581 (3) The vendor will provide, upon request, reasonable
582 assistance and support during a transition to the agency or to a
583 new vendor.

584 (4) All anticipated software license fees, license renewal
585 fees, and operation and maintenance costs are documented in
586 detail. If exact figures are not feasible, the vendor must
587 provide a reasonable cost range.

588 **Section 9. Section 287.0591, Florida Statutes, is amended**
589 **to read:**

590 287.0591 Information technology competitive solicitations
591 and state term contracts; vendor performance disqualification.—

592 (1) (a) Any competitive solicitation issued by the
593 department for a state term contract for information technology
594 commodities must include a term that does not exceed 48 months.

595 (b) (2) Any competitive solicitation issued by the
596 department for a state term contract for information technology
597 consultant services or information technology staff augmentation
598 contractual services must include a term that does not exceed 48
599 months.

600 (c) (3) The department may execute a state term contract

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601 for information technology commodities, consultant services, or
602 staff augmentation contractual services that exceeds the 48-
603 month requirement if the Secretary of Management Services and
604 the state chief information officer certify in writing to the
605 ~~Executive Office of the~~ Governor that a longer contract term is
606 in the best interest of the state.

607 ~~(2) (4) If the department issues a competitive solicitation~~
608 ~~for information technology commodities, consultant services, or~~
609 ~~staff augmentation contractual services,~~ The Florida Digital
610 Service ~~within the department~~ shall participate in ~~such~~
611 competitive solicitations for information technology
612 commodities, consultant services, or staff augmentation
613 contractual services issued by the department, which shall
614 include reviewing the solicitation specifications to verify
615 compliance with enterprise architecture and cybersecurity
616 standards, evaluating vendor responses under established
617 criteria, answering vendor questions, and providing any other
618 technical expertise necessary.

619 ~~(3) (a) (5) If an agency issues a request for quote to~~
620 ~~purchase information technology commodities, information~~
621 ~~technology consultant services, or information technology staff~~
622 ~~augmentation contractual services from the state term contract~~
623 ~~that meets the CATEGORY TWO threshold amount, but is less than~~
624 ~~the CATEGORY FOUR threshold amount:~~

625 1. For any contract with 25 approved vendors or fewer, the

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626 agency must issue a request for quote to all vendors approved to
627 provide such commodity or service.

628 2. For any contract with more than 25 approved vendors,
629 the agency must issue a request for quote to at least 25 of the
630 vendors approved to provide such commodity or contractual
631 service.

632 (b) The agency must maintain a copy of the request for
633 quote, the identity of the vendor that was sent the request for
634 quote, and any vendor responses to the request for quote for 2
635 years after the date of issuance of the purchase order.

636 (c) Use of a request for quote does not constitute a
637 decision or intended decision that is subject to protest under
638 s. 120.57(3).

639 (4) (a) An agency issuing a request for quote to purchase
640 information technology commodities, information technology
641 consultant services, or information technology staff
642 augmentation contractual services from the state term contract
643 which exceeds the CATEGORY FOUR threshold amount must publish on
644 a searchable and publicly available system of record maintained
645 by the department:

646 1. The request for quote for a minimum of 10 days before
647 executing a purchase order.

648 2. The name of the vendor awarded the purchase order.

649 (b) The agency must maintain a copy of the request for
650 quote, the identity of the vendor that was sent the request for

651 quote, and any vendor responses to the request for quote for 2
652 years after the date of issuance of the purchase order.

653 (c) Use of a request for quote does not constitute a
654 decision or intended decision that is subject to protest under
655 s. 120.57(3).

656 (5) Agencies issuing a competitive solicitation to
657 purchase information technology services must consult the
658 repository of vendor performance records developed under s.
659 287.057(26)(e), and consider any relevant records when
660 evaluating vendor responses to the competitive solicitation.

661 (6) To the extent practicable, an agency's contract for
662 the procurement of a major information technology system must be
663 divided into increments that:

664 (a) Address complex information technology objectives
665 incrementally to enhance the likelihood of attaining those
666 objectives.

667 (b) Provide for delivery, implementation, and testing of
668 workable systems or solutions in discrete increments, each of
669 which comprises a system or solution that is not dependent on a
670 subsequent increment in order to perform its principal
671 functions.

672 (c) Provide an opportunity for subsequent increments of
673 the acquisition to take advantage of any evolution in technology
674 or needs that occurs during the implementation of earlier
675 increments.

676 (7) (a)(6) Beginning October 1, 2021, and Each October 1
677 thereafter, the department shall prequalify firms and
678 individuals to provide information technology staff augmentation
679 contractual services and information technology commodities on
680 state term contract.

681 (b) In order to prequalify a firm or individual for
682 participation on the state term contract, the department must
683 consider, at a minimum, the capability, experience, and past
684 performance record of the firm or individual.

685 (c) A firm or individual removed from the source of supply
686 pursuant to s. 287.042(1)(b) or placed on a disqualified vendor
687 list pursuant to s. 287.133 or s. 287.134 is immediately
688 disqualified from state term contract eligibility.

689 (d) Once a firm or individual has been prequalified to
690 provide information technology staff augmentation contractual
691 services or information technology commodities on state term
692 contract, the firm or individual may respond to requests for
693 quotes from an agency to provide such services.

694 **Section 10.** This act shall take effect July 1, 2026.