

Tab 1	SB 174 by Artiles ; (Compare to 1ST ENG/H 05301) Enterprise Information Technology Services Management Act
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT
Senator Grimsley, Chair
Senator Bean, Vice Chair

MEETING DATE: Wednesday, February 8, 2017
TIME: 2:00—4:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Office Building

MEMBERS: Senator Grimsley, Chair; Senator Bean, Vice Chair; Senators Broxson, Campbell, Garcia, Mayfield, Rodriguez, Rouson, and Torres

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 174 Artiles	Enterprise Information Technology Services Management Act; Revising certain powers, duties, and functions of the Agency for State Technology in collaboration with the Department of Management Services; authorizing certain service-level agreements entered into by the state data center to be extended for a specified duration, etc. GO 01/24/2017 Favorable AGG 02/08/2017 Favorable AP	Favorable Yeas 7 Nays 0
2	Workshop - Testimony and Discussion on General Government Local Government Funding Requests for Fiscal Year 2017-18		Discussed
Other Related Meeting Documents			

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on General Government

BILL: SB 174

INTRODUCER: Senator Artiles

SUBJECT: Enterprise Information Technology Services Management Act

DATE: February 7, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Peacock	Ferrin	GO	Favorable
2.	Davis	Betta	AGG	Recommend: Favorable
3.			AP	

I. Summary:

SB 174 revises definitions of specified terms contained in the Enterprise Information Technology Services Management Act and revises certain powers, duties, and functions of the Agency for State Technology to provide for collaboration with the Department of Management Services.

The bill authorizes the Agency for State Technology’s State Data Center to extend a service-level agreement with an existing customer for up to six months. The State Data Center must file a report with the Executive Office of the Governor within specified timeframes of the signing of an extension or the scheduled expiration of the service-level agreement with the customer. The report must outline issues preventing execution of new agreement and a schedule for resolving such issues.

The bill authorizes the Agency for State Technology to plan, design, and conduct testing with information technology resources to implement services that are within the scope of the services provided by the state data center, if cost-effective.

The bill has no known fiscal impact on state funds.

The bill takes effect July 1, 2017.

II. Present Situation:

Enterprise Information Technology Services Management Act

Chapter 282, F.S., is known as the Enterprise Information Technology Services Management Act.¹

¹ Section 282.003, F.S.

The State Technology Office (STO) was established in the Department of Management Services (DMS) in 1997.² During the 2000 and 2001 legislative sessions,³ the Legislature significantly amended statutes allowing for the consolidation and centralization of information technology (IT) assets and resources for executive branch agencies. While other sections of statute were amended to accomplish this policy direction, the primary chapter amended was Part I of Chapter 282, F.S., to either take existing powers and duties assigned to the DMS and transfer these powers and duties to the STO, or prescribe additional powers and duties to the STO to accomplish the policy direction of consolidating and centralizing IT. One of STO's new duties included developing and implementing service level agreements with each agency that the STO provided IT services.

In 2007, the Legislature created the Agency for Enterprise Information Technology (AEIT) to oversee policies for the design, planning, project management, and implementation of enterprise IT services, to include IT security.⁴ The State Data Center was created by the Legislature in 2008.⁵

In 2014, the Legislature abolished the AEIT and transferred its duties to the then newly created Agency for State Technology.⁶

Section 282.0041(2), F.S., defines the term "breach" as "a confirmed event that compromises the confidentiality, integrity, or availability of information or data."

Section 282.0041(10), F.S., defines the term "incident" as "a violation or imminent threat of violation, whether such violation is accidental or deliberate, of information technology security policies, acceptable use policies, or standard security practices. An imminent threat of violation refers to a situation in which the state agency has a factual basis for believing that a specific incident is about to occur."

The Florida Information Protection Act of 2014

The Florida Information Protection Act of 2014⁷ requires businesses and governmental entities to provide notice to affected customers and the Department of Legal Affairs (DLA) when a breach of security of personal information occurs.⁸ This act provides enforcement authority to the DLA under the Florida Deceptive and Unfair Trade Practices Act⁹ to prosecute violations and to impose civil penalties for failure to report data breaches within specified timeframes.¹⁰ Civil penalties under the Florida Deceptive and Unfair Trade Practices Act include \$1,000 per day for the first 30 days, \$50,000 for each subsequent 30-day period up to 180 days, and \$500,000

² Chapter 97-286, L.O.F.

³ Chapter 2000-164, L.O.F.; Chapter 2001-261, L.O.F.

⁴ Chapter 2007-105, L.O.F.

⁵ Chapter 2008-116, L.O.F.

⁶ Chapter 2014-221, L.O.F.

⁷ Chapter 2014-189, L.O.F.

⁸ Section 501.171(3) and (4), F.S.

⁹ Section 501.201, F.S.

¹⁰ Section 501.171(9)(a), F.S.

maximum penalty for violations continuing more than 180 days.¹¹ State governmental entities are not liable for civil penalties for failure to timely report security data breaches.¹² The Florida Information Protection Act requires the DLA to submit an annual report to the Legislature, by February 1 of each year, detailing any reported breaches of security by governmental entities or their third-party agents for the preceding year, along with any recommendations for security improvements.¹³ The report must also identify any governmental entity that has violated the breach notification provisions.¹⁴

Section 501.171(1)(a), F.S., defines the term “breach of security” or “breach” as “unauthorized access of data in electronic form containing personal information. Good faith access of personal information by an employee or agent of the covered entity does not constitute a breach of security, provided that the information is not used for a purpose unrelated to the business or subject to further unauthorized use.”

Section 501.171(1)(g)1., F.S., provides that “personal information” means either of the following:

- An individual’s first name or first initial and last name in combination with any one or more of the following data elements for that individual:
 - A social security number;
 - A driver license or identification card number, passport number, military identification number, or other similar number issued on a government document used to verify identity;
 - A financial account number or credit or debit card number, in combination with any required security code, access code, or password that is necessary to permit access to an individual’s financial account;
 - Any information regarding an individual’s medical history, mental or physical condition, or medical treatment or diagnosis by a health care professional; or
 - An individual’s health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual.
- A user name or e-mail address, in combination with a password or security question and answer that would permit access to an online account.

Section 501.171(1)(g)2., F.S., provides that the term (personal information) “does not include information about an individual that has been made publicly available by a federal, state, or local governmental entity. The term also does not include information that is encrypted, secured, or modified by any other method or technology that removes elements that personally identify an individual or that otherwise renders the information unusable.”

¹¹ Section 501.171(9)(b), F.S.

¹² Section 501.171(1)(b), F.S.

¹³ Section 501.171(7), F.S.

¹⁴ *Id.*

Agency for State Technology

The AST was created on July 1, 2014.¹⁵ The executive director of AST is appointed by the Governor and confirmed by the Senate. The duties and responsibilities of the AST include:¹⁶

- Developing and publishing information technology (IT) policy for management of the state's IT resources.
- Establishing and publishing IT architecture standards.
- Establishing project management and oversight standards with which state agencies must comply when implementing IT projects.
- Performing project oversight on all state IT projects with total costs of \$10 million or more.
- Identifying opportunities for standardization and consolidation of IT services that support common business functions and operations.
- Establishing best practices for procurement of IT products in collaboration with the DMS.
- Participating with the DMS in evaluating, conducting and negotiating competitive solicitations for state term contracts for IT commodities, consultant services, or staff augmentation contractual services.
- Collaborating with the DMS in IT resource acquisition planning.
- Developing standards for IT reports and updates.
- Upon request, assisting state agencies in development of IT related legislative budget requests.
- Conducting annual assessments of state agencies to determine compliance with IT standards and guidelines developed by the AST.
- Providing operational management and oversight of the state data center.
- Recommending other IT services that should be designed, delivered, and managed as enterprise IT services.
- Recommending additional consolidations of agency data centers or computing facilities into the state data center.
- In consultation with state agencies, proposing methodology for identifying and collecting current and planned IT expenditure data at the state agency level.
- Performing project oversight on any cabinet agency IT project that has a total project cost of \$25 million or more and impacts one or more other agencies.
- Consulting with departments regarding risks and other effects for IT projects implemented by an agency that must be connected to or accommodated by an IT system administered by a cabinet agency.
- Reporting annually to the Governor, the President of the Senate and the Speaker of the House regarding state IT standards or policies that conflict with federal regulations or requirements.
- Establishing policy for all IT-related state contracts, including state term contracts for IT commodities, consultant services, and staff augmentation services in collaboration with the DMS.¹⁷ The IT policy must include:
 - Identification of the IT product and service categories to be included in state term contracts.
 - Requirements to be included in solicitations for state term contracts.

¹⁵ Chapter 2014-221, L.O.F.

¹⁶ Section 282.0051, F.S.

¹⁷ Chapter 2016-138, L.O.F.

- Evaluation criteria for the award of IT-related state term contracts.
- The term of each IT-related state term contract.
- The maximum number of vendors authorized on each state term contract.
- In collaboration with the DMS, evaluating vendor responses for state term contract solicitations and invitations to negotiate, answering vendor questions on state term contract solicitations, and ensuring that IT policy is included in all solicitations and contracts that are administratively executed by the DMS.¹⁸

State Data Center Service-Level Agreements

The State Data Center is established within the AST and provides data center services that comply with applicable state and federal laws, regulations, and policies, including all applicable security, privacy, and auditing requirements.¹⁹ The State Data Center must enter into a service-level agreement with each customer entity to provide required type and level of service or services. If a customer fails to execute an agreement within 60 days after commencement of service, the State Data Center may cease service.

Below is a table listing the customers of the AST’s State Data Center. The customers include state agencies, a water management district, a county, local agencies and non-profit organizations.

AST Agency Customers	
Agency for Health Care Administration	Department of Veterans' Affairs
Agency for Persons with Disabilities	Executive Office of the Governor
Department of Citrus	Department of Emergency Management
Department of Business & Professional Regulation	Fish & Wildlife Conservation Commission
Department of Corrections	Florida Commission on Human Relations
Department of Children & Families	Department of Highway Safety & Motor Vehicles
Department of Economic Opportunity	Justice Administrative Commission
Department of Environmental Protection	Auditor General
Department of Juvenile Justice	Public Employees Relations Commission
Department of Military Affairs	Public Service Commission
Department of Management Services	Northwest Florida Water Management District
Department of Education	Santa Rosa County
Department of Elder Affairs	Miami-Dade Expressway Authority
Department of Health	Greater Orlando Aviation Authority
Department of Lottery	Children Home Society - Jacksonville
Department of Revenue	Chautauqua Offices of Psychotherapy and Evaluation
Department of State	Department of Transportation

¹⁸ *Id.*

¹⁹ Section 282.201, F.S.

From 2008 to 2014, s. 282.203, F.S., allowed an existing customer's service-level agreement with the AST to continue under the terms of the previous fiscal year's agreement, if a customer did not execute a new service-level agreement within 60 days of the agreement's expiration.

Funding Methodology

The Department of Financial Services (DFS) has responsibility for the preparation of the annual Statewide Cost Allocation Plan (SWCAP) required under the provisions of the U.S. Management and Budget (OMB) Circular A-87.²⁰ The circular establishes principles and standards for determining costs for federal awards carried out through grants, cost reimbursement contracts, and other agreements with state, local, and federally recognized Indian tribal governments. The SWCAP is the mechanism by which the state identifies, summarizes, and allocates statewide indirect costs. The SWCAP also includes financial and billing information for central services directly charged to agencies or programs. The DFS must ensure that the SWCAP represents the most favorable allocation of central services cost allowable to the state by the Federal government.²¹

Appendix C of OMB Circular A-87, defines "billed central services" as central services billed to benefited agencies and/or programs on an individual fee-for-service or similar basis. Typical expenditures of billed central services include computer services, transportation services, insurance, and fringe benefits.²²

The services provided by the State Data Center to state agencies are an example of "billed central services." The State Data Center must adhere to the SWCAP in accounting for agency resources utilized.

Pilot Projects

From 2008 to 2014, s. 282.203, F.S., allowed the primary data centers to plan, design, and establish pilot projects and conduct experiments with IT resources.

Cybercrime Office within the Florida Department of Law Enforcement

In 2011, the Cybercrime Office (Office) was established within the Florida Department of Law Enforcement (FDLE)²³ when the Department of Legal Affairs' Cybercrime Office was transferred to the FDLE.²⁴ The Office is tasked with the following:

- Investigating violations of state law pertaining to the sexual exploitation of children, which are facilitated by or connected to the use of any device capable of storing electronic data;²⁵
- Monitoring state IT resources and providing analysis on IT security, incidents, threats, and breaches;²⁶

²⁰ Section 215.195(1), F.S. Also, see 2 CFR Part 225, Appendix C, Appendix D, and Appendix E.

²¹ *Id.*

²² 2 CFR Part 225, Appendix C.

²³ Section 943.0415, F.S.

²⁴ Chapter 2011-132, L.O.F.

²⁵ Section 943.0415(1), F.S.

²⁶ Section 943.0415(2), F.S.

- Investigating violations of state law pertaining to IT security incidents²⁷ and assisting in incident response and recovery;²⁸
- Providing security awareness training and information to state agency employees concerning cybersecurity, online sexual exploitation of children, and security risks, and the responsibility of employees to comply with policies, standards, guidelines, and operating procedures adopted by the AST;²⁹ and
- Consulting with the AST in the adoption of rules relating to the IT security provisions in s. 282.318, F.S.³⁰

The Office may collaborate with state agencies to provide IT security awareness training to state agency employees.³¹ State agencies are required to report IT security incidents and breaches to the Office.³²

III. Effect of Proposed Changes:

Section 1 amends s. 282.0041(2), F.S., to narrow the definition of the term “breach” to include the unauthorized access to “personal information”. This term will have the same meaning of the term “breach” defined in s. 501.171(1)(a), F.S.

The term “incident” contained in s. 282.0041(10), F.S., is amended. The amended definition of “incident” means “a violation or imminent threat of violation, whether such violation is accidental or deliberate, of information technology resources, security, policies, or practices. An imminent threat of violation refers to a situation in which the state agency has a factual basis for believing that a specific incident is about to occur.”

Section 2 amends s. 282.0051(18)(b), F.S., to clarify that the AST will evaluate vendor responses only for state term contract solicitations and invitations to negotiate that are specifically related to IT. This amendment removes ambiguity of whether the AST had a duty to evaluate state-term contract solicitations and invitation to bids that were not IT-related.

Section 282.0051(18)(c), F.S., is amended to provide that the AST will answer vendor questions only on IT-related state term contract solicitations. This amendment removes the ambiguity of whether the AST had a duty to answer vendor questions on state-term contract solicitations that were not IT-related.

Section 282.0051(18)(d), F.S., is amended to provide that the AST shall ensure all IT-related solicitations by the DMS are procured and state contracts are managed in accordance with existing policy established under s. 282.0051(18)(a). This amendment clarifies the AST’s duty does not apply to non-IT solicitations and state term contracts.

²⁷ In accordance with s. 282.0041, F.S.

²⁸ Section 943.0415(3), F.S.

²⁹ Section 943.0415(4), F.S.

³⁰ Section 931.0415(5), F.S.

³¹ Section 282.318(4)(i), F.S.

³² Section 282.318(4)(j), F.S.

Section 3 amends s. 282.201(2)(d), F.S., to provide a State Data Center service-level agreement may be extended for up to six months. If the State Data Center and an existing customer execute a service-level agreement extension or fail to execute a new service-level agreement, the State Data Center must submit a report to the Executive Office of the Governor within five days after the date of the executed extension, or 15 days before the scheduled expiration date of the service-level agreement. Such report must explain the specific issues preventing execution of a new service-level agreement and describing the plan and schedule for resolving those issues.

In addition, this section:

- deletes the requirement within a service-level agreement to provide certain termination notice to the AST;
- authorizes the AST to plan, design, and conduct testing with IT resources to implement services that are within the scope of services provided by the State Data Center, if cost effective; and
- deletes obsolete provisions related to the schedule for consolidations of agency data centers.

Section 4 reenacts s. 943.0415(2) and (3), F.S., related to the Cybercrime Office within the FDLE, to incorporate the amended definitions of “breach” and “incident” made in s. 282.0041, F.S.

Section 5 provides an effective date of July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply, because the bill does not require counties and municipalities to spend funds, reduce counties’ or municipalities’ ability to raise revenue, or reduce the percentage of a state tax shares with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the AST, the bill has no fiscal impact.³³ The DMS states the bill has an unknown fiscal impact on state funds³⁴; however, these costs are most likely insignificant and can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends sections 282.0041, 282.0051 and 282.201 of the Florida Statutes.

This bill reenacts section 943.0415 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

³³ See AST, *Senate Bill 174 Analysis*, p. 5, (on file with the Appropriations Subcommittee on General Government).

³⁴ See DMS, *Senate Bill 174 Analysis*, p. 4, (on file with the Appropriations Subcommittee on General Government).

By Senator Artiles

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A bill to be entitled

An act relating to the Enterprise Information Technology Services Management Act; amending s. 282.0041, F.S.; revising definitions; amending s. 282.0051, F.S.; revising certain powers, duties, and functions of the Agency for State Technology in collaboration with the Department of Management Services; amending s. 282.201, F.S.; authorizing certain service-level agreements entered into by the state data center to be extended for a specified duration; requiring the state data center to submit a specified report to the Executive Office of the Governor under certain circumstances; deleting a requirement within a service-level agreement to provide a certain termination notice to the Agency for State Technology; requiring the state data center to plan, design, and conduct certain testing if cost-effective; deleting obsolete provisions relating to the schedule for consolidations of agency data centers; conforming provisions to changes made by the act; reenacting s. 943.0415(2) and (3), F.S., relating to the Cybercrime Office within the Department of Law Enforcement, to incorporate the amendment made to s. 282.0041, F.S., in references thereto; providing an effective date.

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

Section 1. Subsections (2) and (10) of section 282.0041, Florida Statutes, are amended to read:

282.0041 Definitions.—As used in this chapter, the term:
(2) "Breach" has the same meaning as defined in s. 501.171

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~~means a confirmed event that compromises the confidentiality, integrity, or availability of information or data.~~

(10) "Incident" means a violation or imminent threat of violation, whether such violation is accidental or deliberate, of information technology resources, security ~~policies~~, ~~acceptable-use~~ policies, or ~~standard-security~~ practices. An imminent threat of violation refers to a situation in which the state agency has a factual basis for believing that a specific incident is about to occur.

Section 2. Subsection (18) of section 282.0051, Florida Statutes, is amended to read:

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

(18) In collaboration with the Department of Management Services:

(a) Establish an information technology policy for all information technology-related state contracts, including state term contracts for information technology commodities, consultant services, and staff augmentation services. The information technology policy must include:

1. Identification of the information technology product and service categories to be included in state term contracts.
2. Requirements to be included in solicitations for state term contracts.
3. Evaluation criteria for the award of information technology-related state term contracts.
4. The term of each information technology-related state term contract.

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62 5. The maximum number of vendors authorized on each state
63 term contract.

64 (b) Evaluate vendor responses for information technology-
65 related state term contract solicitations and invitations to
66 negotiate.

67 (c) Answer vendor questions on information technology-
68 related state term contract solicitations.

69 (d) Ensure that all information technology-related
70 solicitations by the department are procured and state contracts
71 are managed in accordance with the information technology policy
72 established under pursuant to paragraph (a) is included in all
73 solicitations and contracts which are administratively executed
74 by the department.

75 Section 3. Paragraph (d) of subsection (2) of section
76 282.201, Florida Statutes, is amended, paragraph (g) is added to
77 that subsection, and subsection (4) of that section is amended,
78 to read:

79 282.201 State data center.—The state data center is
80 established within the Agency for State Technology and shall
81 provide data center services that are hosted on premises or
82 externally through a third-party provider as an enterprise
83 information technology service. The provision of services must
84 comply with applicable state and federal laws, regulations, and
85 policies, including all applicable security, privacy, and
86 auditing requirements.

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

88 (d) Enter into a service-level agreement with each customer
89 entity to provide the required type and level of service or
90 services. If a customer entity fails to execute an agreement

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91 within 60 days after commencement of a service, the state data
92 center may cease service. A service-level agreement may not have
93 an original a term exceeding 3 years, but the service-level
94 agreement may be extended for up to 6 months. If the state data
95 center and an existing customer entity either execute an
96 extension or fail to execute a new service-level agreement
97 before the expiration of an existing service-level agreement,
98 the state data center must submit a report to the Executive
99 Office of the Governor within 5 days after the date of the
100 executed extension or 15 days before the scheduled expiration
101 date of the service-level agreement, as applicable, to explain
102 the specific issues preventing execution of a new service-level
103 agreement and to describe the plan and schedule for resolving
104 those issues. A service-level agreement, and at a minimum, must:

105 1. Identify the parties and their roles, duties, and
106 responsibilities under the agreement.

107 2. State the duration of the contract term and specify the
108 conditions for renewal.

109 3. Identify the scope of work.

110 4. Identify the products or services to be delivered with
111 sufficient specificity to permit an external financial or
112 performance audit.

113 5. Establish the services to be provided, the business
114 standards that must be met for each service, the cost of each
115 service, and the metrics and processes by which the business
116 standards for each service are to be objectively measured and
117 reported.

118 6. Provide a timely billing methodology to recover the cost
119 of services provided to the customer entity pursuant to s.

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120 215.422.

121 7. Provide a procedure for modifying the service-level
122 agreement based on changes in the type, level, and cost of a
123 service.

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

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

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

134 (g) Plan, design, and conduct testing with information
135 technology resources to implement services within the scope of
136 the services provided by the state data center, if cost-
137 effective.

138 (4) ~~SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.-~~

139 ~~(a) Consolidations of agency data centers and computing~~
140 ~~facilities into the state data center shall be made by the dates~~
141 ~~specified in this section and in accordance with budget~~
142 ~~adjustments contained in the General Appropriations Act.~~

143 ~~(b) During the 2013-2014 fiscal year, the following state~~
144 ~~agencies shall be consolidated by the specified date:~~

145 ~~1. By October 31, 2013, the Department of Economic~~
146 ~~Opportunity.~~

147 ~~2. By December 31, 2013, the Executive Office of the~~
148 ~~Governor, to include the Division of Emergency Management except~~

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149 ~~for the Emergency Operation Center's management system in~~
150 ~~Tallahassee and the Camp Blanding Emergency Operations Center in~~
151 ~~Starke.~~

152 ~~3. By March 31, 2014, the Department of Elderly Affairs.~~

153 ~~4. By October 30, 2013, the Fish and Wildlife Conservation~~
154 ~~Commission, except for the commission's Fish and Wildlife~~
155 ~~Research Institute in St. Petersburg.~~

156 (a)(e) The following agency data centers are exempt from
157 state data center consolidation under this section: the
158 Department of Law Enforcement, the Department of the Lottery's
159 Gaming System, Systems Design and Development in the Office of
160 Policy and Budget, the regional traffic management centers as
161 described in s. 335.14(2) and the Office of Toll Operations of
162 the Department of Transportation, the State Board of
163 Administration, state attorneys, public defenders, criminal
164 conflict and civil regional counsel, capital collateral regional
165 counsel, and the Florida Housing Finance Corporation.

166 (b)(d) A state agency that is consolidating its agency data
167 center or computing facility into the state data center must
168 execute a new or update an existing service-level agreement
169 within 60 days after the commencement of the service. If a state
170 agency and the state data center are unable to execute a
171 service-level agreement by that date, the agency shall submit a
172 report to the Executive Office of the Governor within 5 working
173 days after that date which explains the specific issues
174 preventing execution and describing the plan and schedule for
175 resolving those issues.

176 (c)(e) Each state agency consolidating ~~scheduled for~~
177 ~~consolidation~~ into the state data center shall submit a

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178 transition plan to the Agency for State Technology by July 1 of
 179 the fiscal year before the fiscal year in which the ~~scheduled~~
 180 consolidation will occur. Transition plans shall be developed in
 181 consultation with the state data center and must include:

182 1. An inventory of the agency data center's resources being
 183 consolidated, including all hardware and its associated life
 184 cycle replacement schedule, software, staff, contracted
 185 services, and facility resources performing data center
 186 management and operations, security, backup and recovery,
 187 disaster recovery, system administration, database
 188 administration, system programming, job control, production
 189 control, print, storage, technical support, help desk, and
 190 managed services, but excluding application development, and the
 191 agency's costs supporting these resources.

192 2. A list of contracts in effect, including, but not
 193 limited to, contracts for hardware, software, and maintenance,
 194 which identifies the expiration date, the contract parties, and
 195 the cost of each contract.

196 3. A detailed description of the level of services needed
 197 to meet the technical and operational requirements of the
 198 platforms being consolidated.

199 4. A timetable with significant milestones for the
 200 completion of the consolidation.

201 (d) ~~(f)~~ Each state agency consolidating ~~scheduled for~~
 202 ~~consolidation~~ into the state data center shall submit with its
 203 respective legislative budget request the specific recurring and
 204 nonrecurring budget adjustments of resources by appropriation
 205 category into the appropriate data processing category pursuant
 206 to the legislative budget request instructions in s. 216.023.

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207 Section 4. For the purpose of incorporating the amendment
 208 made by this act to section 282.0041, Florida Statutes, in
 209 references thereto, subsections (2) and (3) of section 943.0415,
 210 Florida Statutes, are reenacted to read:

211 943.0415 Cybercrime Office.—There is created within the
 212 Department of Law Enforcement the Cybercrime Office. The office
 213 may:

214 (2) Monitor state information technology resources and
 215 provide analysis on information technology security incidents,
 216 threats, and breaches as defined in s. 282.0041.

217 (3) Investigate violations of state law pertaining to
 218 information technology security incidents pursuant to s.
 219 282.0041 and assist in incident response and recovery.

220 Section 5. This act shall take effect July 1, 2017.

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305- 252- 4300



Tallahassee Office
308 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399
850-487-5040

**Florida Senate
Office of Senator Frank Artiles- District 40**

Wednesday, January 25th, 2017

The Honorable Denise Grimsley
Chairman, Appropriations Subcommittee on General Government
201 Capitol Building
404 S. Monroe Street
Tallahassee, FL 32399

Re: SB 174 – Enterprise Information Technology Management Services Act

Dear Chair Grimsley,

I hope this correspondence finds you well.

Please have this letter serve as my formal request to have **SB 174: Enterprise Information Technology Management Services Act** be heard during the next meeting of the Appropriations Subcommittee on General Government.

The purpose of this legislation is to revise certain powers, duties and functions of the Agency for State Technology in collaboration with the Department of Management Services as well as authorizing certain service-level agreements entered into by the state data center to be extended for a specified duration.

Should you have any questions or concerns, please feel free to reach out to my office at any time.

Respectfully,

A handwritten signature in cursive script, appearing to read "Frank Artiles".

Senator Frank Artiles, District 40

**THE FLORIDA SENATE
APPEARANCE RECORD**

2-8-17

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Topic Fire Station 107

Amendment Barcode (if applicable)

Name Rana Brown

Job Title consultant

Address 18851 NE 29 Ave., STE 1010

Phone 850 2243427

Street Aventura, FL State FL Zip 33180

Email Rana@RLBOOKPA.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing City of Miramar

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2-8-17

Meeting Date

Bill Number (if applicable)

Topic Marine Rescue Fire Emergency Medical Amendment Barcode (if applicable)

Name Rana Brown Service Facility

Job Title consultant

Address 1885 NE 29 Ave, STE 1010

Phone 850 2243427

Street Aventura, FL

Email Rana@RLBOOKPA.com

City Aventura State FL Zip 33180

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing City of Marco Island

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Appropriations Subcommittee on Finance and Tax
Appropriations Subcommittee on General Government
Children, Families, and Elder Affairs
Communications, Energy, and Public Utilities
Community Affairs

JOINT COMMITTEE:
Joint Administrative Procedures Committee

SENATOR DAPHNE CAMPBELL

38th District

February 6, 2017

Senator Denise Grimsley, Chair
Appropriations Subcommittee on General Government
Room 413 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Dear Chair Grimsley:

This letter is to request that I be excused from the Appropriations Subcommittee on General Government meeting scheduled on Wednesday, February 8, 2017. President-elect, Jovenel Moïse of the Republic of Haiti personally invited me to attend his Inauguration events this week.

Your consideration of this request would be very much appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Daphne Campbell".

Senator Daphne Campbell, District 38

cc: Giovanni Betta, Staff Director

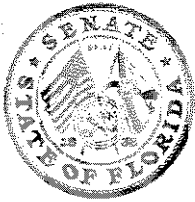
REPLY TO:

□ 218 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5038

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Appropriations Subcommittee on Criminal and
Civil Justice, *Chair*
Appropriations Subcommittee on General
Government, *Vice Chair*
Appropriations
Community Affairs
Criminal Justice
Ethics and Elections

SENATOR AARON BEAN
4th District

MEMORANDUM

To: Senator Grimsley, Chair
From: Senator Aaron Bean
Subject: Approps Subcommittee on General Government
Date: February 8, 2017

Please excuse my absence for today's meeting, Wednesday, February 8, 2017.
Unfortunately, I was detained in the Approps Sub/HHS presenting my bill.

Thank you for your consideration.

A large, handwritten signature in cursive script that reads "Aaron Bean".

Senator Aaron Bean

A handwritten note in cursive script that reads "Thank you!".

REPLY TO:

- Duval Station, 13453 North Main Street, Suite 301, Jacksonville, Florida 32218 (904) 757-5039 FAX: (888) 263-1578
- 306 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5004 FAX: (850) 410-4805

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

CourtSmart Tag Report

Room: EL 110

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on General Government

Judge:

Started: 2/8/2017 2:01:15 PM

Ends: 2/8/2017 2:08:52 PM **Length:** 00:07:38

2:01:19 PM Sen. Grimsley (Chair)

2:01:55 PM SB 174

2:02:02 PM Sen. Artilles

2:02:34 PM Sen. Grimsley

2:03:16 PM TAB 2 - Workshop - Testimony and Discussion on General Government Local Government Funding

Requests for Fiscal Year 2017-18

2:04:05 PM Recording Paused

2:06:40 PM Recording Resumed

2:06:49 PM Sen. Mayfield (Chair)

2:07:20 PM Rana Brown, Consultant, City of Miramar

2:07:51 PM Sen. Mayfield

2:08:01 PM R. Brown

2:08:29 PM Sen. Mayfield

2:08:35 PM R. Brown

2:08:36 PM Sen. Mayfield

2:08:49 PM Meeting Adjourned