

By the Committee on Information Technology and
Representatives Hart, Mack, Mealor and Wallace

1 A bill to be entitled
2 An act relating to information technology;
3 amending s. 20.22, F.S.; creating the State
4 Technology Office within the Department of
5 Management Services; requiring the office to
6 operate and manage the Technology Resource
7 Center; amending s. 110.205, F.S.; providing
8 that specified officers within the State
9 Technology Office are exempt from career
10 service; providing that the office shall set
11 the salaries and benefits for such officers in
12 accordance with the rules of the Senior
13 Management Service; providing for the personal
14 secretary to specified officers within the
15 State Technology Office to be exempt from
16 career service; providing for all managers,
17 supervisors, and confidential employees of the
18 State Technology Office to be exempt from
19 career service; providing that the office shall
20 set the salaries and benefits for those
21 positions in accordance with the rules of the
22 Selected Exempt Service; amending s. 186.022,
23 F.S.; revising the entities required to
24 annually develop and submit an information
25 technology strategic plan; providing for the
26 State Technology Office to administer and
27 approve development of information technology
28 strategic plans; amending s. 216.013, F.S.;
29 revising provisions relating to the review of
30 long-range program plans for executive agencies
31 by the Executive Office of the Governor;

1 providing that the Executive Office of the
2 Governor shall consider the findings of the
3 State Technology Office with respect to the
4 State Annual Report on Enterprise Resource
5 Planning and Management and statewide policies
6 adopted by the State Technology Office;
7 amending s. 216.0446, F.S., relating to review
8 of agency information resources management
9 needs; eliminating the Technology Review
10 Workgroup; providing for assumption of the
11 duties of the Technology Review Workgroup by
12 the State Technology Office; requiring the
13 reporting of specified information to the
14 Executive Office of the Governor; providing
15 powers and duties of the State Technology
16 Office; amending s. 216.181, F.S., relating to
17 approved budgets for operations and fixed
18 capital outlay; providing requirements with
19 respect to an amendment to the original
20 approved operating budget for specified
21 information technology projects or initiatives;
22 amending s. 216.235, F.S.; transferring
23 specified responsibilities with respect to the
24 Innovation Investment Program Act from the
25 Department of Management Services to the Office
26 of Tourism, Trade, and Economic Development
27 within the Executive Office of the Governor;
28 revising the membership of the State Innovation
29 Committee; amending s. 216.292, F.S.;

30 authorizing state agencies to transfer
31 positions and appropriations for fiscal year

1 2001-2002 for the purpose of consolidating
2 information technology resources to the State
3 Technology Office; amending s. 282.005, F.S.;
4 revising legislative findings and intent with
5 respect to the Information Resources Management
6 Act of 1997; providing that the State
7 Technology Office has primary responsibility
8 and accountability for information technology
9 matters within the state; amending and
10 renumbering s. 282.303, F.S.; revising
11 definitions; defining "information technology";
12 amending s. 282.102, F.S.; revising powers and
13 duties of the State Technology Office;
14 providing that the office shall be a separate
15 budget entity within the Department of
16 Management Services; providing that the Chief
17 Information Officer shall be an agency head;
18 authorizing the office to perform, in
19 consultation with a state agency, the
20 enterprise resource planning and management for
21 the agency; authorizing the office to apply
22 for, receive, and hold specified patents,
23 copyrights, trademarks, and service marks;
24 authorizing the office to purchase, lease,
25 hold, sell, transfer, license, and dispose of
26 specified real, personal, and intellectual
27 property; providing for deposit of specified
28 fees in the Law Enforcement Radio Operating
29 Trust Fund; amending s. 282.103, F.S., to
30 conform; authorizing the State Technology
31 Office to grant an agency exemption from

1 required use of specified SUNCOM Network
2 services; amending s. 282.104, F.S., to
3 conform; amending s. 282.105, F.S., to conform;
4 amending s. 282.106, F.S., to conform; amending
5 s. 282.1095, F.S., relating to the state agency
6 law enforcement radio system; providing
7 conforming amendments; renaming the State
8 Agency Law Enforcement Radio System Trust Fund
9 as the Law Enforcement Radio Operating Trust
10 Fund; requiring the office to establish
11 policies, procedures, and standards for a
12 comprehensive plan for a statewide radio
13 communications system; eliminating provisions
14 relating to establishment and funding of
15 specified positions; amending s. 282.111, F.S.,
16 to conform; amending s. 282.20, F.S., relating
17 to the Technology Resource Center; providing
18 conforming amendments; removing provisions
19 relating to the acceptance of new customers by
20 the center; authorizing the center to spend
21 funds in the reserve account of the Technology
22 Enterprise Operating Trust Fund; amending s.
23 282.21, F.S., to conform; amending s. 282.22,
24 F.S.; revising terminology; removing specified
25 restrictions on the office's authority to sell
26 services; creating s. 282.23, F.S.; authorizing
27 the State Technology Office, in consultation
28 with the Department of Management Services, to
29 establish a State Strategic Information
30 Technology Alliance; providing purposes of the
31 alliance; providing for the establishment of

1 policies and procedures; repealing s. 282.3041,
2 F.S., which provides that the head of each
3 state agency is responsible and accountable for
4 enterprise resource planning and management
5 within the agency; amending s. 282.3055, F.S.;
6 authorizing the Chief Information Officer to
7 appoint or contract for Agency Chief
8 Information Officers to assist in carrying out
9 enterprise resource planning and management
10 responsibilities; amending s. 282.3063, F.S.;
11 requiring Agency Chief Information Officers to
12 prepare and submit an Agency Annual Enterprise
13 Resource Planning and Management Report;
14 amending s. 282.315, F.S.; renaming the Chief
15 Information Officers Council as the Agency
16 Chief Information Officers Council; revising
17 the voting membership of the council; amending
18 s. 282.318, F.S., to conform; amending s.
19 282.322, F.S.; eliminating provisions relating
20 to the special monitoring process for
21 designated information resources management
22 projects; requiring the Enterprise Project
23 Management Office of the State Technology
24 Office to report on, monitor, and assess risk
25 levels of specified high-risk technology
26 projects; requiring certain state agencies to
27 transfer described positions and administrative
28 support personnel to the State Technology
29 Office by specified dates; providing limits on
30 the number of positions and administrative
31 support personnel transferred; providing that

1 the State Technology Office and the relevant
2 agencies are authorized to request subsequent
3 transfers of positions, subject to approval by
4 the Legislative Budget Commission; providing
5 requirements with respect to transferred
6 resources which were dedicated to a federally
7 funded system; providing appropriations;
8 repealing s. 282.404, F.S.; abolishing the
9 Florida Geographic Information Board within the
10 State Technology Office; providing an effective
11 date.

12

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

14

15 Section 1. Paragraph (b) of subsection (2) and
16 subsection (3) of section 20.22, Florida Statutes, are amended
17 to read:

18 20.22 Department of Management Services.--There is
19 created a Department of Management Services.

20 (2) The following divisions and programs within the
21 Department of Management Services are established:

22 (b) State Technology Office ~~Information Technology~~
23 ~~Program~~.

24 (3) The State Technology Office ~~Information Technology~~
25 ~~Program~~ shall operate and manage the Technology Resource
26 Center.

27 Section 2. Subsection (2) of section 110.205, Florida
28 Statutes, is amended to read:

29 110.205 Career service; exemptions.--

30 (2) EXEMPT POSITIONS.--The exempt positions which are
31 not covered by this part include the following, provided that

1 no position, except for positions established for a limited
2 period of time pursuant to paragraph ~~(i)~~^(h), shall be
3 exempted if the position reports to a position in the career
4 service:

5 (a) All officers of the executive branch elected by
6 popular vote and persons appointed to fill vacancies in such
7 offices. Unless otherwise fixed by law, the salary and
8 benefits for any such officer who serves as the head of a
9 department shall be set by the department in accordance with
10 the rules of the Senior Management Service.

11 (b) All members, officers, and employees of the
12 legislative branch, except for the members, officers, and
13 employees of the Florida Public Service Commission.

14 (c) All members, officers, and employees of the
15 judicial branch.

16 (d) All officers and employees of the State University
17 System and the Correctional Education Program within the
18 Department of Corrections, and the academic personnel and
19 academic administrative personnel of the Florida School for
20 the Deaf and the Blind. In accordance with the provisions of
21 chapter 242, the salaries for academic personnel and academic
22 administrative personnel of the Florida School for the Deaf
23 and the Blind shall be set by the board of trustees for the
24 school, subject only to the approval of the State Board of
25 Education. The salaries for all instructional personnel and
26 all administrative and noninstructional personnel of the
27 Correctional Education Program shall be set by the Department
28 of Corrections, subject to the approval of the Department of
29 Management Services.

30 (e) The Chief Information Officer, deputy chief
31 information officers, chief technology officers, and deputy

1 chief technology officers in the State Technology Office.
2 Unless otherwise fixed by law, the State Technology Office
3 shall set the salary and benefits of these positions in
4 accordance with the rules of the Senior Management Service.

5 (f)~~(e)~~ All members of state boards and commissions,
6 however selected. Unless otherwise fixed by law, the salary
7 and benefits for any full-time board or commission member
8 shall be set by the department in accordance with the rules of
9 the Senior Management Service.

10 (g)~~(f)~~ Judges, referees, and receivers.

11 (h)~~(g)~~ Patients or inmates in state institutions.

12 (i)~~(h)~~ All positions which are established for a
13 limited period of time for the purpose of conducting a special
14 study, project, or investigation and any person paid from an
15 other-personal-services appropriation. Unless otherwise fixed
16 by law, the salaries for such positions and persons shall be
17 set in accordance with rules established by the employing
18 agency for other-personal-services payments pursuant to s.
19 110.131.

20 (j)~~(i)~~ The appointed secretaries, assistant
21 secretaries, deputy secretaries, and deputy assistant
22 secretaries of all departments; the executive directors,
23 assistant executive directors, deputy executive directors, and
24 deputy assistant executive directors of all departments; and
25 the directors of all divisions and those positions determined
26 by the department to have managerial responsibilities
27 comparable to such positions, which positions include, but are
28 not limited to, program directors, assistant program
29 directors, district administrators, deputy district
30 administrators, the Director of Central Operations Services of
31 the Department of Children and Family Services, and the State

1 Transportation Planner, State Highway Engineer, State Public
2 Transportation Administrator, district secretaries, district
3 directors of planning and programming, production, and
4 operations, and the managers of the offices specified in s.
5 20.23(3)(d)2., of the Department of Transportation. Unless
6 otherwise fixed by law, the department shall set the salary
7 and benefits of these positions in accordance with the rules
8 of the Senior Management Service.

9 (k)~~(j)~~ The personal secretary to the incumbent of each
10 position exempted in paragraphs ~~paragraph~~ (a), (e), and (j).
11 ~~and to each appointed secretary, assistant secretary, deputy~~
12 ~~secretary, executive director, assistant executive director,~~
13 ~~and deputy executive director of each department under~~
14 ~~paragraph (i).~~ Unless otherwise fixed by law, the department
15 shall set the salary and benefits of these positions in
16 accordance with the rules of the Selected Exempt Service.

17 (l)~~(k)~~ All officers and employees in the office of the
18 Governor, including all employees at the Governor's mansion,
19 and employees within each separate budget entity, as defined
20 in chapter 216, assigned to the Governor. Unless otherwise
21 fixed by law, the salary and benefits of these positions shall
22 be set by the department as follows:

23 1. The chief of staff, the assistant or deputy chief
24 of staff, general counsel, Director of Legislative Affairs,
25 chief inspector general, Director of Cabinet Affairs, Director
26 of Press Relations, Director of Planning and Budgeting,
27 director of administration, director of state-federal
28 relations, Director of Appointments, Director of External
29 Affairs, Deputy General Counsel, Governor's Liaison for
30 Community Development, Chief of Staff for the Lieutenant
31 Governor, Deputy Director of Planning and Budgeting, policy

1 coordinators, and the director of each separate budget entity
2 shall have their salaries and benefits established by the
3 department in accordance with the rules of the Senior
4 Management Service.

5 2. The salaries and benefits of positions not
6 established in sub-subparagraph a. shall be set by the
7 employing agency. Salaries and benefits of employees whose
8 professional training is comparable to that of licensed
9 professionals under paragraph (r)~~(q)~~, or whose administrative
10 responsibility is comparable to a bureau chief shall be set by
11 the Selected Exempt Service. The department shall make the
12 comparability determinations. Other employees shall have
13 benefits set comparable to legislative staff, except leave
14 shall be comparable to career service as if career service
15 employees.

16 (m)~~(l)~~ All assistant division director, deputy
17 division director, and bureau chief positions in any
18 department, and those positions determined by the department
19 to have managerial responsibilities comparable to such
20 positions, which positions include, but are not limited to,
21 positions in the Department of Health, the Department of
22 Children and Family Services, and the Department of
23 Corrections that are assigned primary duties of serving as the
24 superintendent or assistant superintendent, or warden or
25 assistant warden, of an institution; positions in the
26 Department of Corrections that are assigned primary duties of
27 serving as the circuit administrator or deputy circuit
28 administrator; positions in the Department of Transportation
29 that are assigned primary duties of serving as regional toll
30 managers and managers of offices as defined in s.
31 20.23(3)(d)3. and (4)(d); positions in the Department of

1 Environmental Protection that are assigned the duty of an
2 Environmental Administrator or program administrator; those
3 positions described in s. 20.171 as included in the Senior
4 Management Service; and positions in the Department of Health
5 that are assigned the duties of Environmental Administrator,
6 Assistant County Health Department Director, and County Health
7 Department Financial Administrator. Unless otherwise fixed by
8 law, the department shall set the salary and benefits of these
9 positions in accordance with the rules established for the
10 Selected Exempt Service.

11 (n)~~(m)~~1.a. In addition to those positions exempted by
12 other paragraphs of this subsection, each department head may
13 designate a maximum of 20 policymaking or managerial
14 positions, as defined by the department and approved by the
15 Administration Commission, as being exempt from the Career
16 Service System. Career service employees who occupy a position
17 designated as a position in the Selected Exempt Service under
18 this paragraph shall have the right to remain in the Career
19 Service System by opting to serve in a position not exempted
20 by the employing agency. Unless otherwise fixed by law, the
21 department shall set the salary and benefits of these
22 positions in accordance with the rules of the Selected Exempt
23 Service; provided, however, that if the agency head determines
24 that the general counsel, chief Cabinet aide, public
25 information administrator or comparable position for a Cabinet
26 officer, inspector general, or legislative affairs director
27 has both policymaking and managerial responsibilities and if
28 the department determines that any such position has both
29 policymaking and managerial responsibilities, the salary and
30 benefits for each such position shall be established by the
31

1 department in accordance with the rules of the Senior
2 Management Service.

3 b. In addition, each department may designate one
4 additional position in the Senior Management Service if that
5 position reports directly to the agency head or to a position
6 in the Senior Management Service and if any additional costs
7 are absorbed from the existing budget of that department.

8 2. If otherwise exempt, employees of the Public
9 Employees Relations Commission, the Commission on Human
10 Relations, and the Unemployment Appeals Commission, upon the
11 certification of their respective commission heads, may be
12 provided for under this paragraph as members of the Senior
13 Management Service, if otherwise qualified. However, the
14 deputy general counsels of the Public Employees Relations
15 Commission shall be compensated as members of the Selected
16 Exempt Service.

17 ~~(o)(n)~~ The executive director, deputy executive
18 director, general counsel, official reporters, and division
19 directors within the Public Service Commission and the
20 personal secretary and personal assistant to each member of
21 the Public Service Commission. Unless otherwise fixed by law,
22 the salary and benefits of the executive director, deputy
23 executive directors, general counsel, Director of
24 Administration, Director of Appeals, Director of Auditing and
25 Financial Analysis, Director of Communications, Director of
26 Consumer Affairs, Director of Electric and Gas, Director of
27 Information Processing, Director of Legal Services, Director
28 of Records and Reporting, Director of Research, and Director
29 of Water and Sewer shall be set by the department in
30 accordance with the rules of the Senior Management Service.
31 The salary and benefits of the personal secretary and the

1 personal assistant of each member of the commission and the
2 official reporters shall be set by the department in
3 accordance with the rules of the Selected Exempt Service,
4 notwithstanding any salary limitations imposed by law for the
5 official reporters.

6 (p)~~(o)~~1. All military personnel of the Department of
7 Military Affairs. Unless otherwise fixed by law, the salary
8 and benefits for such military personnel shall be set by the
9 Department of Military Affairs in accordance with the
10 appropriate military pay schedule.

11 2. The military police chiefs, military police
12 officers, firefighter trainers, firefighter-rescuers, and
13 electronic security system technicians shall have salary and
14 benefits the same as career service employees.

15 (q)~~(p)~~ The staff directors, assistant staff directors,
16 district program managers, district program coordinators,
17 district subdistrict administrators, district administrative
18 services directors, district attorneys, and the Deputy
19 Director of Central Operations Services of the Department of
20 Children and Family Services and the county health department
21 directors and county health department administrators of the
22 Department of Health. Unless otherwise fixed by law, the
23 department shall establish the salary range and benefits for
24 these positions in accordance with the rules of the Selected
25 Exempt Service.

26 (r)~~(q)~~ All positions not otherwise exempt under this
27 subsection which require as a prerequisite to employment:
28 licensure as a physician pursuant to chapter 458, licensure as
29 an osteopathic physician pursuant to chapter 459, licensure as
30 a chiropractic physician pursuant to chapter 460, including
31 those positions which are occupied by employees who are

1 exempted from licensure pursuant to s. 409.352; licensure as
2 an engineer pursuant to chapter 471, which are supervisory
3 positions except for such positions in the Department of
4 Transportation; or for 12 calendar months, which require as a
5 prerequisite to employment that the employee have received the
6 degree of Bachelor of Laws or Juris Doctor from a law school
7 accredited by the American Bar Association and thereafter
8 membership in The Florida Bar, except for any attorney who
9 serves as an administrative law judge pursuant to s. 120.65 or
10 for hearings conducted pursuant to s. 120.57(1)(a). Unless
11 otherwise fixed by law, the department shall set the salary
12 and benefits for these positions in accordance with the rules
13 established for the Selected Exempt Service.

14 (s)~~(r)~~ The statewide prosecutor in charge of the
15 Office of Statewide Prosecution of the Department of Legal
16 Affairs and all employees in the office. The Department of
17 Legal Affairs shall set the salary of these positions.

18 (t)~~(s)~~ The executive director of each board or
19 commission established within the Department of Business and
20 Professional Regulation or the Department of Health. Unless
21 otherwise fixed by law, the department shall establish the
22 salary and benefits for these positions in accordance with the
23 rules established for the Selected Exempt Service.

24 (u)~~(t)~~ All officers and employees of the State Board
25 of Administration. The State Board of Administration shall set
26 the salaries and benefits of these positions.

27 (v)~~(u)~~ Positions which are leased pursuant to a state
28 employee lease agreement expressly authorized by the
29 Legislature pursuant to s. 110.191.

30 (w) All managers, supervisors, and confidential
31 employees of the State Technology Office. The State Technology

1 Office shall set the salaries and benefits of these positions
2 in accordance with the rules established for the Selected
3 Exempt Service.
4 Section 3. Section 186.022, Florida Statutes, is
5 amended to read:
6 186.022 Information technology resource strategic
7 plans.--By June 1 of each year, ~~the Geographic Information~~
8 ~~Board,~~the Financial Management Information Board, the
9 Criminal and Juvenile Justice Information Systems Council, and
10 the Health Information Systems Council shall each develop and
11 submit to the State Technology Office an information
12 technology resource strategic plan ~~to the Executive Office of~~
13 ~~the Governor~~ in a form and manner prescribed in written
14 instructions from prepared by the State Technology Office
15 ~~Executive Office of the Governor~~ in consultation with the
16 Executive Office of the Governor and the legislative
17 appropriations committees. The State Technology Office
18 ~~Executive Office of the Governor~~ shall review each such the
19 strategic plan and ~~may provide comments within 30 days.~~ In its
20 review, ~~the Executive Office of the Governor~~ shall determine
21 ~~consider all comments and findings of the Technology Review~~
22 ~~Workgroup~~ as to whether each such the plan is consistent with
23 the State Annual Report on Enterprise Resource Planning and
24 ~~Information Resources~~ Management and statewide policies
25 adopted by the State Technology Office, and by July 1 of each
26 year shall develop and transmit to each such board and council
27 a written expression of its findings, conclusions, and
28 required changes, if any, with respect to each such strategic
29 plan recommended by the State Technology Council. If any
30 change to any such strategic plan is ~~revisions are~~ required,
31 each affected board ~~boards~~ and council shall revise its

1 strategic plan to the extent necessary to incorporate such
2 required changes ~~councils have 30 days to incorporate those~~
3 ~~revisions~~ and shall resubmit its strategic ~~return the~~ plan to
4 the State Technology Office for final approval and acceptance
5 ~~Executive Office of the Governor.~~

6 Section 4. Subsection (4) of section 216.013, Florida
7 Statutes, is amended to read:

8 216.013 Long-range program plan.--

9 (4) The Executive Office of the Governor shall review
10 the long-range program plans for executive agencies to ensure
11 that they are consistent with the state's goals and objectives
12 and other requirements as specified in the written
13 instructions and that they provide the framework and context
14 for the agency's budget request. In its review, the Executive
15 Office of the Governor shall consider the findings of the
16 State Technology Office ~~Technology Review Workgroup~~ as to the
17 consistency of the information technology portion of
18 long-range program plans with the State Annual Report on
19 Enterprise Resource Planning and Information Resources
20 Management and statewide policies adopted ~~recommended~~ by the
21 State Technology Office ~~Council~~ and the state's plan for
22 facility needs pursuant to s. 216.0158. Based on the results
23 of the review, the Executive Office of the Governor may
24 require an agency to revise the plan.

25 Section 5. Section 216.0446, Florida Statutes, is
26 amended to read:

27 216.0446 Review of information resources management
28 needs.--

29 (1) ~~There is created within the Legislature the~~
30 ~~Technology Review Workgroup.~~ The State Technology Office
31 ~~workgroup~~ shall review and make recommendations with respect

1 to the portion of agencies' long-range program plans which
2 pertains to information resources management needs and with
3 respect to agencies' legislative budget requests for
4 information technology and related resources management. The
5 State Technology Office ~~Technology Review Workgroup~~ shall
6 report such recommendations, together with the findings and
7 conclusions on which such recommendations are based,~~be~~
8 ~~responsible~~ to the Executive Office of the Governor and the
9 chairs of the legislative appropriations committees.

10 (2) In addition to the powers and duties otherwise
11 provided by law, the State Technology Office ~~its primary duty~~
12 ~~specified in subsection (1), the Technology Review Workgroup~~
13 shall have powers and duties that include, but are not limited
14 to, the following:

15 (a) To evaluate the information resource management
16 needs identified in the agency long-range program plans for
17 consistency with the State Annual Report on Enterprise
18 Resource Planning and Information Resources Management and
19 statewide policies adopted ~~recommended~~ by the State Technology
20 Office Council, and make recommendations to the Executive
21 Office of the Governor and the chairs of the legislative
22 appropriations committees.

23 (b) To review and make recommendations to the
24 Executive Office of the Governor and ~~to the chairs of the~~
25 legislative appropriations committees on proposed budget
26 amendments ~~and agency transfers~~ associated with information
27 technology resources management initiatives or projects that
28 ~~involve more than one agency, that have an outcome that~~
29 ~~impacts another agency, or that exceed \$500,000 in total cost~~
30 ~~over a 1-year period.~~

31

1 Section 6. Subsection (5) of section 216.181, Florida
2 Statutes, is amended to read:

3 216.181 Approved budgets for operations and fixed
4 capital outlay.--

5 (5) An amendment to the original approved operating
6 budget for an information technology project or initiative
7 which requires review as provided in s. 216.181 resources
8 ~~management project or initiative that involves more than one~~
9 ~~agency, has an outcome that impacts another agency, or exceeds~~
10 ~~\$500,000 in total cost over a 1-year period, except for those~~
11 ~~projects that are a continuation of hardware or software~~
12 ~~maintenance or software licensing agreements, or that are for~~
13 ~~desktop replacement that is similar to the technology~~
14 ~~currently in use~~ must be reviewed by the State Technology
15 Office Technology Review Workgroup pursuant to s. 216.0466.
16 This excludes items submitted by the State Technology Office
17 for review and approval according to the provisions of this
18 section.~~and approved by the Executive Office of the Governor~~
19 ~~for the executive branch or by the Chief Justice for the~~
20 ~~judicial branch, and shall be subject to the notice and review~~
21 ~~procedures set forth in s. 216.177.~~

22 Section 7. Section 216.235, Florida Statutes, is
23 amended to read:

24 216.235 Innovation Investment Program; intent;
25 definitions; composition and responsibilities of State
26 Innovation Committee; responsibilities of the Office of
27 Tourism, Trade, and Economic Development ~~Department of~~
28 ~~Management Services, the Information Resource Commission, and~~
29 the review board; procedures for innovative project
30 submission, review, evaluation, and approval; criteria to be
31 considered.--

1 (1) This section shall be cited as the "Innovation
2 Investment Program Act."

3 (2) The Legislature finds that each state agency
4 should be encouraged to pursue innovative investment projects
5 which demonstrate a novel, creative, and entrepreneurial
6 approach to conducting the agency's normal business processes;
7 effectuate a significant change in the accomplishment of the
8 agency's activities; address an important problem of public
9 concern; and have the potential of being replicated by other
10 state agencies. The Legislature further finds that investment
11 in innovation can produce longer-term savings and that funds
12 for such investment should be available to assist agencies in
13 investing in innovations that produce a cost savings to the
14 state or improve the quality of services delivered. The
15 Legislature also finds that any eligible savings realized as a
16 result of investment in innovation should be available for
17 future investment in innovation.

18 (3) For purposes of this section:

19 (a) "Agency" means an official, officer, commission,
20 authority, council, committee, department, division, bureau,
21 board, section, or other unit or entity of the executive
22 branch.

23 (b) "Commission" means the Information Resource
24 Commission.

25 (c) "Committee" means the State Innovation Committee.

26 (d) "Office" means the Office of Tourism, Trade, and
27 Economic Development within the Executive Office of the
28 Governor. ~~"Department" means the Department of Management~~
29 ~~Services.~~

1 (e) "Review board" means a nonpartisan board composed
2 of private citizens and public employees who evaluate the
3 projects and make funding recommendations to the committee.
4 (4) There is hereby created the State Innovation
5 Committee, which shall have final approval authority as to
6 which innovative investment projects submitted under this
7 section shall be funded. Such committee shall be comprised of
8 seven ~~five~~ members. Appointed members shall serve terms of 1
9 year and may be reappointed. The committee shall include:
10 (a) The Lieutenant Governor.
11 (b) The director of the Governor's Office of Planning
12 and Budgeting.
13 (c) The Chief Information Officer in the State
14 Technology Office.
15 ~~(d)(e)~~ The Comptroller.
16 ~~(e)(d)~~ One representative of the private sector
17 appointed by the Commission on Government Accountability to
18 the People.
19 ~~(f)(e)~~ The director of the Office of Tourism, Trade,
20 and Economic Development. ~~One representative appointed by~~
21 ~~Enterprise Florida, Inc.~~
22 ~~(g)~~ The Chair of IT Florida.com, Inc.
23
24 ~~The Secretary of Management Services shall serve as an~~
25 ~~alternate in the event a member is unable to attend the~~
26 ~~committee meeting.~~
27 (5) Agencies shall submit proposed innovative
28 investment projects to the Office of Tourism, Trade, and
29 Economic Development ~~department~~ by a date established and in
30 the format prescribed by the office ~~department~~. Such
31

1 innovative investment project proposals shall include, but not
2 be limited to:

3 (a) The identification of a specific innovative
4 investment project.

5 (b) The name of the agency's innovative investment
6 project administrator.

7 (c) A cost/benefit analysis which is a financial
8 summary of how the innovative investment project will produce
9 a cost savings for the agency or improve the quality of the
10 public services delivered by the agency. The analysis shall
11 include a breakdown of each project cost category, including,
12 but not limited to: the costs associated with hiring of
13 other-personal-services staff, re-engineering efforts,
14 purchase of equipment, maintenance agreements, training,
15 consulting services, travel, acquisition of information
16 technology resources; any monetary or in-kind contributions
17 made by the agency, another public entity, or the private
18 sector; and available baseline data, performance measures, and
19 outcomes as defined in s. 216.011(1).

20 (d) The approval of the agency head, the agency's
21 budget director, the agency's inspector general or internal
22 auditor, and, if the innovative investment project involves
23 information technology resources, the information resource
24 manager.

25 (6) Any agency developing an innovative investment
26 project proposal that involves information technology
27 resources may consult with and seek technical assistance from
28 the commission. The office ~~department~~ shall consult with the
29 commission for any project proposal that involves information
30 resource technology. The commission is responsible for
31 evaluating these projects and for advising the committee and

1 review board of the technical feasibility and any transferable
2 benefits of the proposed technology. In addition to the
3 requirements of subsection (5), the agencies shall provide to
4 the commission any information requested by the commission to
5 aid in determining that the proposed technology is appropriate
6 for the project's success.

7 (7) The office ~~department~~ shall select a review board
8 composed of private and public members. Terms of review board
9 members shall be for 1 year beginning on a date established by
10 the office ~~department~~. Review board members may serve more
11 than one term. The board shall evaluate innovative investment
12 projects and shall make recommendations to the committee as to
13 which innovative projects should be considered for funding.

14 (8) When evaluating projects, the committee and the
15 review board shall consider whether the innovative investment
16 project meets the following criteria:

17 (a) Increases the quality of public services by the
18 agency.

19 (b) Reduces costs for the agency.

20 (c) Involves a cooperative effort with another public
21 entity or the private sector.

22 (d) Reduces the need for hiring additional employees
23 or avoids other operating costs incurred by the agency in the
24 future.

25 (9) The committee shall allocate funds based on a
26 competitive evaluation process and award funds to agencies for
27 innovative investment projects demonstrating quantifiable
28 savings to the state, or improved customer service delivery.

29 (10) The awarded agency shall monitor and evaluate the
30 projects to determine if the anticipated results were
31 achieved.

1 (11) Funds appropriated for the Innovation Investment
2 Program shall be distributed by the Executive Office of the
3 Governor subject to notice, review, and objection procedures
4 set forth in s. 216.177. The office ~~department~~ may transfer
5 funds from the annual appropriation as necessary to administer
6 the program.

7 Section 8. Paragraph (c) is added to subsection (1) of
8 section 216.292, Florida Statutes, to read:

9 216.292 Appropriations nontransferable; exceptions.--

10 (1)

11 (c) Notwithstanding any other provision of this
12 section or the provisions of s. 216.351, for fiscal year
13 2001-2002, state agencies may transfer positions and
14 appropriations as necessary to comply with any provision of
15 the General Appropriations Act, or any other provision of law,
16 that requires or specifically authorizes the transfer of
17 positions and appropriations in the consolidation of
18 information technology resources to the State Technology
19 Office.

20 Section 9. Section 282.005, Florida Statutes, is
21 amended to read:

22 282.005 Legislative findings and intent.--The
23 Legislature finds that:

24 (1) Information is a strategic asset of the state,
25 and, as such, it should be managed as a valuable state
26 resource.

27 (2) The state makes significant investments in
28 information technology ~~resources~~ in order to manage
29 information and to provide services to its citizens.

30 (3) An office must be created to provide support and
31 guidance to enhance the state's use and management of

1 information technology ~~resources~~ and to design, procure, and
2 deploy, on behalf of the state, information technology
3 ~~resources~~.

4 (4) The cost-effective deployment of information
5 technology ~~and information resources~~ by state agencies can
6 best be managed by a Chief Information Officer.

7 (5) ~~The head of each state agency, in consultation~~
8 ~~with~~ The State Technology Office, has primary responsibility
9 and accountability for the planning, budgeting, acquisition,
10 development, implementation, use, and management of
11 information technology ~~resources~~ within the state agency. The
12 State Technology Office shall use the state's information
13 technology in the best interest of the state as a whole and
14 shall contribute to and make use of shared data and related
15 resources whenever appropriate. Each agency head has primary
16 responsibility and accountability for setting agency
17 priorities, identifying business needs, and determining agency
18 services and programs to be developed as provided by law. The
19 State Technology Office, through service level agreements with
20 each agency, shall provide the information technology needed
21 for the agency to accomplish its mission.

22 (6) The expanding need for, use of, and dependence on
23 information technology ~~resources~~ requires focused management
24 attention and managerial accountability by state agencies and
25 the state as a whole.

26 ~~(7) The agency head, in consultation with the State~~
27 ~~Technology Office, has primary responsibility for the agency's~~
28 ~~information technology resources and for their use in~~
29 ~~accomplishing the agency's mission. However, each agency~~
30 ~~shall also use its information technology resources in the~~
31 ~~best interests of the state as a whole and thus contribute to~~

1 ~~and make use of shared data and related resources whenever~~
2 ~~appropriate.~~

3 (7)(8) The state, through the State Technology Office,
4 shall provide, by whatever means is most cost-effective and
5 efficient, the information technology, enterprise resource
6 planning and management, and enterprise resource management
7 infrastructure ~~the information resources management~~
8 ~~infrastructure~~ needed to collect, store, and process the
9 state's data and information, provide connectivity, and
10 facilitate the exchange of data and information among both
11 public and private parties.

12 (8)(9) A necessary part of the state's information
13 technology ~~resources management~~ infrastructure is a statewide
14 communications system for all types of signals, including, but
15 not limited to, voice, data, video, radio, telephone,
16 wireless, and image.

17 (9)(10) To ensure the best management of the state's
18 information technology ~~resources~~, and notwithstanding other
19 provisions of law to the contrary, the functions of
20 information technology ~~resources management~~ are hereby
21 assigned to the Board of Regents as the agency responsible for
22 the development and implementation of policy, planning,
23 management, rulemaking, standards, and guidelines for the
24 State University System; to the State Board of Community
25 Colleges as the agency responsible for establishing and
26 developing rules and policies for the Florida Community
27 College System; to the Supreme Court, for the judicial branch;
28 to each state attorney and public defender; and to the State
29 Technology Office for the executive branch of state
30 government.

31

1 ~~(10)(11)~~ Notwithstanding anything to the contrary
2 contained in this act, the State Technology Office shall take
3 no action affecting the supervision or control of the
4 personnel or data processing equipment that the Comptroller
5 deems necessary for the exercise of his or her official
6 constitutional duties as set forth in s. 4(d) and (e), Art. IV
7 of the State Constitution.

8 ~~(11)(12)~~ Notwithstanding anything to the contrary
9 contained in this act, the State Technology Office shall take
10 no action affecting the supervision and control of the
11 personnel or data processing equipment which the Attorney
12 General deems necessary for the exercise of his or her
13 official constitutional duties as set forth in s. 4(c), Art.
14 IV of the State Constitution.

15 Section 10. Section 282.303, Florida Statutes, is
16 renumbered as section 282.0041, Florida Statutes, and amended
17 to read:

18 282.0041 ~~282.303~~ Definitions.--For the purposes of
19 this part ~~ss. 282.303-282.322~~, the term:

20 (1) "Agency" means those entities described in s.
21 216.011(1) (qq) ~~(mm)~~.

22 ~~(2)(8)~~ "Agency Annual Enterprise Resource Planning and
23 Management Report" means the report prepared by each Agency
24 ~~the~~ Chief Information Officer ~~of each agency~~ as required by s.
25 282.3063.

26 ~~(3)(2)~~ "Agency Chief Information Officer" means the
27 person appointed by ~~the agency head, in consultation with the~~
28 State Technology Office, ~~to~~ coordinate and manage the
29 information technology ~~resources management~~ policies and
30 activities applicable to ~~within~~ that agency.

31

1 ~~(4)(3)~~ "Agency Chief Information Officers Council"
2 means the council created in s. 282.315 to facilitate the
3 sharing and coordination of information technology resources
4 ~~management~~ issues and initiatives among the agencies.

5 ~~(5)(13)~~ "Enterprise resources management
6 infrastructure" means the hardware, software, networks, data,
7 human resources, policies, standards, and facilities,
8 maintenance, and related materials and services that are
9 required to support the business processes of an agency or
10 state enterprise.

11 ~~(5)~~ ~~"Information technology hardware" means equipment~~
12 ~~designed for the automated storage, manipulation, and~~
13 ~~retrieval of data, voice or video, by electronic or mechanical~~
14 ~~means, or both, and includes, but is not limited to, central~~
15 ~~processing units, front-end processing units, including~~
16 ~~miniprocessors and microprocessors, and related peripheral~~
17 ~~equipment such as data storage devices, document scanners,~~
18 ~~data entry, terminal controllers and data terminal equipment,~~
19 ~~word processing systems, equipment and systems for computer~~
20 ~~networks, personal communication devices, and wireless~~
21 ~~equipment.~~

22 ~~(6)(11)~~ "Enterprise resource planning and management"
23 means the planning, budgeting, acquiring, developing,
24 organizing, directing, training, ~~and control,~~ and related
25 services associated with government information technology
26 ~~resources~~. The term encompasses information and related
27 resources, as well as the controls associated with their
28 acquisition, development, dissemination, and use.

29 ~~(7)~~ "Information technology" means equipment,
30 hardware, software, firmware, programs, systems, networks,
31 infrastructure, media, and related material used to

1 automatically, electronically, and wirelessly collect,
2 receive, access, transmit, display, store, record, retrieve,
3 analyze, evaluate, process, classify, manipulate, manage,
4 assimilate, control, communicate, exchange, convert, converge,
5 interface, switch, or disseminate information of any kind or
6 form.

7 ~~(6) "Information technology services" means all~~
8 ~~services that include, but are not limited to, feasibility~~
9 ~~studies, systems design, software development, enterprise~~
10 ~~resource planning, application service provision, consulting,~~
11 ~~or time-sharing services.~~

12 ~~(7) "Data processing software" means the programs and~~
13 ~~routines used to employ and control the capabilities of data~~
14 ~~processing hardware, including, but not limited to, operating~~
15 ~~systems, compilers, assemblers, utilities, library routines,~~
16 ~~maintenance routines, applications, and computer networking~~
17 ~~programs.~~

18 ~~(8)(10)~~ "Project" means an undertaking directed at the
19 accomplishment of a strategic objective relating to enterprise
20 resources management or a specific appropriated program.

21 (9) "State Annual Report on Enterprise Resource
22 Planning and Management" means the report prepared by the
23 State Technology Office as defined in s. 282.3093.

24 ~~(10)(16)~~ "Standards" means the use of current, open,
25 nonproprietary, or non-vendor-specific technologies.

26 ~~(11)(4)~~ "State Technology Office" or "office" means
27 the office created in s. 282.102 ~~to support and coordinate~~
28 ~~cost-effective deployment of technology and information~~
29 ~~resources and services across state government.~~

30 ~~(12)(15)~~ "Total cost" means all costs associated with
31 information technology resources management projects or

1 initiatives, including, but not limited to, value of hardware,
2 software, service, maintenance, incremental personnel, and
3 facilities. Total cost of a loan or gift of information
4 technology resources to an agency includes the fair market
5 value of the resources, except that the total cost of loans or
6 gifts of information technology resources to state
7 universities to be used in instruction or research does not
8 include fair market value.

9 ~~(12) "Information technology resources" means data~~
10 ~~processing hardware and software and services, communications,~~
11 ~~supplies, personnel, facility resources, maintenance, and~~
12 ~~training.~~

13 ~~(14) "Technology Review Workgroup" means the workgroup~~
14 ~~created in s. 216.0446 to review and make recommendations on~~
15 ~~agencies' information resources management planning and~~
16 ~~budgeting proposals.~~

17 Section 11. Section 282.102, Florida Statutes, is
18 amended to read:

19 282.102 Creation of the State Technology Office;
20 ~~powers and duties of the State Technology Office of the~~
21 ~~Department of Management Services.--There is created a State~~
22 ~~Technology Office, administratively placed within the~~
23 ~~Department of Management Services. The office shall be a~~
24 separate budget entity, and which shall be headed by a Chief
25 Information Officer who is appointed by the Governor and is in
26 the Senior Management Service. The Chief Information Officer
27 shall be an agency head for all purposes. The office shall not
28 be subject to control, supervision, or direction by the
29 Department of Management Services in any manner, including,
30 but not limited to, personnel, procurement, transactions
31 involving real or personal property, and planning and budget

1 matters.The office shall have the following powers, duties,
2 and functions:

3 (1) To publish electronically the portfolio of
4 services available from the office, including pricing
5 information; the policies and procedures of the office
6 governing usage of available services; and a forecast of the
7 priorities and initiatives for the state communications system
8 for the ensuing 2 years. ~~The office shall provide a hard copy~~
9 ~~of its portfolio of services upon request.~~

10 (2) To adopt policies and procedures implementing best
11 practices to be followed by agencies in acquiring, using,
12 upgrading, modifying, replacing, or disposing of information
13 technology.~~To coordinate the purchase, lease, and use of all~~
14 ~~information technology services for state agencies, including~~
15 ~~communications services provided as part of any other total~~
16 ~~system to be used by the state or any of its agencies.~~

17 (3) To perform, in consultation with an agency, the
18 enterprise resource planning and management for the agency.

19 (4)~~(3)~~ To advise and render aid to state agencies and
20 political subdivisions of the state as to systems or methods
21 to be used for organizing and meeting information technology
22 requirements efficiently and effectively.

23 (5)~~(4)~~ To integrate the information technology systems
24 and services of state agencies.

25 (6)~~(5)~~ To adopt technical standards for the state
26 information technology system which will assure the
27 interconnection of computer networks and information systems
28 of ~~state~~ agencies.

29 (7)~~(6)~~ To assume management responsibility for any
30 integrated information technology system or service when
31

1 determined by the office to be economically efficient or
2 performance-effective.

3 ~~(8)(7)~~ To enter into agreements related to ~~for the~~
4 ~~support and use of the~~ information technology with ~~services of~~
5 state agencies and of political subdivisions of the state.

6 ~~(9)(8)~~ To use and ~~or~~ acquire, with agency concurrence,
7 information technology ~~facilities~~ now owned or operated by any
8 state agency.

9 ~~(9)~~ ~~To standardize policies and procedures for the use~~
10 ~~of such services.~~

11 (10) To purchase from or contract with information
12 technology providers for information technology ~~facilities or~~
13 ~~services~~, including private line services.

14 (11) To apply for, receive, and hold, and to ~~or~~ assist
15 agencies in applying for, receiving, or holding, such
16 authorizations, patents, copyrights, trademarks, service
17 marks, licenses, and allocations or channels and frequencies
18 to carry out the purposes of this part ~~ss. 282.101-282.109.~~

19 (12) To purchase, lease, or otherwise acquire and to
20 hold, sell, transfer, license, or otherwise dispose of real,
21 personal estate, equipment, and intellectual ~~other~~ property,
22 including, but not limited to, patents, trademarks,
23 copyrights, and service marks.

24 (13) To cooperate with any federal, state, or local
25 emergency management agency in providing for emergency
26 communications services.

27 (14) To delegate, as necessary, to state agencies the
28 authority to purchase, lease, or otherwise acquire and to use
29 ~~powers of acquisition and utilization of~~ information
30 technology ~~equipment, facilities, and services~~ or, as
31 necessary, to control and approve the purchase, lease, or

1 acquisition and the use of all information technology
2 ~~equipment, services, and facilities, including, but not~~
3 limited to,communications services provided as part of any
4 other total system to be used by the state or any of its
5 agencies.

6 (15) To acquire ~~take~~ ownership, possession,custody,
7 and control of existing communications equipment and
8 facilities, ~~with agency concurrence,~~including all right,
9 title, interest, and equity therein, as necessary,to carry
10 out the purposes of this part ~~ss. 282.101-282.109~~. However,
11 the provisions of this subsection shall in no way affect the
12 rights, title, interest, or equity in any such equipment or
13 facilities owned by, or leased to, the state or any state
14 agency by any telecommunications company.

15 (16) To adopt rules pursuant to ss. 120.536(1) and
16 120.54 relating to information technology and to administer
17 the provisions of this part.

18 (17) To provide a means whereby political subdivisions
19 of the state may use ~~the~~ state information technology systems
20 ~~system~~ upon such terms and under such conditions as the office
21 may establish.

22 (18) To apply for and accept federal funds for any of
23 the purposes of this part ~~ss. 282.101-282.109~~ as well as gifts
24 and donations from individuals, foundations, and private
25 organizations.

26 (19) To monitor issues relating to communications
27 facilities and services before the Florida Public Service
28 Commission and, when necessary, prepare position papers,
29 prepare testimony, appear as a witness, and retain witnesses
30 on behalf of state agencies in proceedings before the
31 commission.

- 1 (20) Unless delegated to the agencies by the Chief
2 Information Officer, to manage and control, but not intercept
3 or interpret, communications within the SUNCOM Network by:
4 (a) Establishing technical standards to physically
5 interface with the SUNCOM Network.
6 (b) Specifying how communications are transmitted
7 within the SUNCOM Network.
8 (c) Controlling the routing of communications within
9 the SUNCOM Network.
10 (d) Establishing standards, policies, and procedures
11 for access to the SUNCOM Network.
12 (e) Ensuring orderly and reliable communications
13 services in accordance with ~~the standards and policies of all~~
14 ~~state agencies and~~ the service level agreements executed with
15 state agencies.
- 16 (21) To plan, design, and conduct experiments for
17 information technology services, equipment, and technologies,
18 and to implement enhancements in the state information
19 technology system when in the public interest and
20 cost-effective. Funding for such experiments shall be derived
21 from SUNCOM Network service revenues and shall not exceed 2
22 percent of the annual budget for the SUNCOM Network for any
23 fiscal year or as provided in the General Appropriations Act
24 ~~for fiscal year 2000-2001~~. New services offered as a result
25 of this subsection shall not affect existing rates for
26 facilities or services.
- 27 (22) To enter into contracts or agreements, with or
28 without competitive bidding or procurement, to make available,
29 on a fair, reasonable, and nondiscriminatory basis, property
30 and other structures under office control for the placement of
31 new facilities by any wireless provider of mobile service as

1 defined in 47 U.S.C. s. 153(n) or s. 332(d) and any
2 telecommunications company as defined in s. 364.02 when it is
3 determined to be practical and feasible to make such property
4 or other structures available. The office may, without
5 adopting a rule, charge a just, reasonable, and
6 nondiscriminatory fee for the placement of the facilities,
7 payable annually, based on the fair market value of space used
8 by comparable communications facilities in the state. The
9 office and a wireless provider or telecommunications company
10 may negotiate the reduction or elimination of a fee in
11 consideration of services provided to the office by the
12 wireless provider or telecommunications company. All such fees
13 collected by the office shall be deposited directly into the
14 ~~State Agency~~ Law Enforcement Radio Operating System Trust
15 Fund, and may be used by the office to construct, maintain, or
16 support the system.

17 (23) To provide an integrated electronic system for
18 deploying government products, services, and information to
19 individuals and businesses.

20 (a) The integrated electronic system shall reflect
21 cost-effective deployment strategies in keeping with industry
22 standards and practices, including protections and ~~of~~ security
23 of private information as well as maintenance of public
24 records.

25 (b) The office shall provide a method for assessing
26 fiscal accountability for the integrated electronic system and
27 shall establish the organizational structure required to
28 implement this system.

29 (24) To provide administrative support to the Agency
30 Chief Information Officers Council and other workgroups
31 created by the Chief Information Officer.

1 (25) To facilitate state information technology
2 education and training for senior management and other agency
3 staff.

4 (26) To prepare, on behalf of the Executive Office of
5 the Governor, memoranda on recommended guidelines and best
6 practices for information resources management, when
7 requested.

8 (27) To prepare, publish, and disseminate the State
9 Annual Report on Enterprise Resource Planning and Management
10 under s. 282.310.

11 (28) To study and make a recommendation to the
12 Governor and Legislature on the feasibility of implementing
13 online voting in this state.

14 (29) To facilitate the development of a network access
15 point in this state, as needed.

16 Section 12. Section 282.103, Florida Statutes, is
17 amended to read:

18 282.103 SUNCOM Network; exemptions from the required
19 use.--

20 (1) There is created within the State Technology
21 Office ~~of the Department of Management Services~~ the SUNCOM
22 Network which shall be developed to serve as the state
23 communications system for providing local and long-distance
24 communications services to state agencies, political
25 subdivisions of the state, municipalities, and nonprofit
26 corporations pursuant to ss. 282.101-282.111. The SUNCOM
27 Network shall be developed to transmit all types of
28 communications signals, including, but not limited to, voice,
29 data, video, image, and radio. State agencies shall cooperate
30 and assist in the development and joint use of communications
31 systems and services.

1 (2) The State Technology Office ~~of the Department of~~
2 ~~Management Services~~ shall design, engineer, implement, manage,
3 and operate through state ownership, commercial leasing, or
4 some combination thereof, the facilities and equipment
5 providing SUNCOM Network services, and shall develop a system
6 of equitable billings and charges for communication services.

7 (3) All state agencies are required to use the SUNCOM
8 Network for agency communications services as the services
9 become available; however, no agency is relieved of
10 responsibility for maintaining communications services
11 necessary for effective management of its programs and
12 functions. If a SUNCOM Network service does not meet the
13 communications requirements of an agency, the agency shall
14 notify the State Technology Office ~~of the Department of~~
15 ~~Management Services~~ in writing and detail the requirements for
16 that communications service. If the office is unable to meet
17 an agency's requirements by enhancing SUNCOM Network service,
18 the office may ~~shall~~ grant the agency an exemption from the
19 required use of specified SUNCOM Network services.

20 Section 13. Section 282.104, Florida Statutes, is
21 amended to read:

22 282.104 Use of state SUNCOM Network by
23 municipalities.--Any municipality may request the State
24 Technology Office ~~of the Department of Management Services~~ to
25 provide any or all of the SUNCOM Network's portfolio of
26 communications services upon such terms and under such
27 conditions as the office ~~department~~ may establish. The
28 requesting municipality shall pay its share of installation
29 and recurring costs according to the published rates for
30 SUNCOM Network services and as invoiced by the office. Such
31

1 municipality shall also pay for any requested modifications to
2 existing SUNCOM Network services, if any charges apply.

3 Section 14. Subsection (1) of section 282.105, Florida
4 Statutes, is amended to read:

5 282.105 Use of state SUNCOM Network by nonprofit
6 corporations.--

7 (1) The State Technology Office ~~of the Department of~~
8 ~~Management Services~~ shall provide a means whereby private
9 nonprofit corporations under contract with state agencies or
10 political subdivisions of the state may use the state SUNCOM
11 Network, subject to the limitations in this section. In order
12 to qualify to use the state SUNCOM Network, a nonprofit
13 corporation shall:

14 (a) Expend the majority of its total direct revenues
15 for the provision of contractual services to the state, a
16 municipality, or a political subdivision of the state; and

17 (b) Receive only a small portion of its total revenues
18 from any source other than a state agency, a municipality, or
19 a political subdivision of the state during the period of time
20 SUNCOM Network services are requested.

21 Section 15. Section 282.106, Florida Statutes, is
22 amended to read:

23 282.106 Use of SUNCOM Network by libraries.--The State
24 Technology Office ~~of the Department of Management Services~~ may
25 provide SUNCOM Network services to any library in the state,
26 including libraries in public schools, community colleges, the
27 State University System, and nonprofit private postsecondary
28 educational institutions, and libraries owned and operated by
29 municipalities and political subdivisions.

30
31

1 Section 16. Subsection (1), paragraphs (f) and (g) of
2 subsection (2), and subsections (3), (4), and (5) of section
3 282.1095, Florida Statutes, are amended to read:

4 282.1095 State agency law enforcement radio system.--

5 (1) The State Technology Office ~~of the Department of~~
6 ~~Management Services~~ may acquire and implement a statewide
7 radio communications system to serve law enforcement units of
8 state agencies, and to serve local law enforcement agencies
9 through a mutual aid channel. The Joint Task Force on State
10 Agency Law Enforcement Communications is established in the
11 State Technology Office ~~of the Department of Management~~
12 ~~Services~~ to advise the office of member-agency needs for the
13 planning, designing, and establishment of the joint system.
14 The ~~State Agency~~ Law Enforcement Radio Operating System Trust
15 Fund is established in the State Technology Office ~~of the~~
16 ~~Department of Management Services~~. The trust fund shall be
17 funded from surcharges collected under ss. 320.0802 and
18 328.72.

19 (2)

20 (f) The State Technology Office ~~of the Department of~~
21 ~~Management Services~~ is hereby authorized to rent or lease
22 space on any tower under its control. The office may also
23 rent, lease, or sublease ground space as necessary to locate
24 equipment to support antennae on the towers. The costs for
25 use of such space shall be established by the office for each
26 site, when it is determined to be practicable and feasible to
27 make space available. The office may refuse to lease space on
28 any tower at any site. All moneys collected by the office for
29 such rents, leases, and subleases shall be deposited directly
30 into the ~~State Agency~~ Law Enforcement Radio Operating System
31

1 Trust Fund and may be used by the office to construct,
2 maintain, or support the system.

3 (g) The State Technology Office ~~of the Department of~~
4 ~~Management Services~~ is hereby authorized to rent, lease, or
5 sublease ground space on lands acquired by the office for the
6 construction of privately owned or publicly owned towers. The
7 office may, as a part of such rental, lease, or sublease
8 agreement, require space on said tower or towers for antennae
9 as may be necessary for the construction and operation of the
10 state agency law enforcement radio system or any other state
11 need. The positions necessary for the office to accomplish its
12 duties under this paragraph and paragraph (f) shall be
13 established in the General Appropriations Act and shall be
14 funded by the ~~State Agency~~ Law Enforcement Radio Operating
15 System Trust Fund.

16 (3) Upon appropriation, moneys in the trust fund may
17 be used by the office to acquire by competitive procurement
18 the equipment; software; and engineering, administrative, and
19 maintenance services it needs to construct, operate, and
20 maintain the statewide radio system. Moneys in the trust fund
21 collected as a result of the surcharges set forth in ss.
22 320.0802 and 328.72 shall be used to help fund the costs of
23 the system. Upon completion of the system, moneys in the
24 trust fund may also be used by the office to provide for
25 payment of the recurring maintenance costs of the system.
26 ~~Moneys in the trust fund may be appropriated to maintain and~~
27 ~~enhance, over and above existing agency budgets, existing~~
28 ~~radio equipment systems of the state agencies represented by~~
29 ~~the task force members, in an amount not to exceed 10 percent~~
30 ~~per year per agency, of the existing radio equipment inventory~~
31

1 ~~until the existing radio equipment can be replaced pursuant to~~
2 ~~implementation of the statewide radio communications system.~~

3 (4)(a) The office ~~joint task force~~ shall establish
4 policies, procedures, and standards which shall be
5 incorporated into a comprehensive management plan for the use
6 and operation of the statewide radio communications system.

7 (b) The joint task force, in consultation with the
8 office, shall have the authority to permit other state
9 agencies to use the communications system, under terms and
10 conditions established by the joint task force.

11 (5)~~(a)~~ The ~~State Technology~~ office of the Department
12 ~~of Management Services~~ shall provide technical support to the
13 joint task force and shall bear the overall responsibility for
14 the design, engineering, acquisition, and implementation of
15 the statewide radio communications system and for ensuring the
16 proper operation and maintenance of all system common
17 equipment.

18 ~~(b) The positions necessary for the office to~~
19 ~~accomplish its duties under this section shall be established~~
20 ~~through the budgetary process and shall be funded by the State~~
21 ~~Agency Law Enforcement Radio System Trust Fund.~~

22 Section 17. Section 282.111, Florida Statutes, is
23 amended to read:

24 282.111 Statewide system of regional law enforcement
25 communications.--

26 (1) It is the intent and purpose of the Legislature
27 that a statewide system of regional law enforcement
28 communications be developed whereby maximum efficiency in the
29 use of existing radio channels is achieved in order to deal
30 more effectively with the apprehension of criminals and the
31 prevention of crime generally. To this end, all law

1 enforcement agencies within the state are directed to provide
2 the State Technology Office ~~of the Department of Management~~
3 ~~Services~~ with any information the office requests for the
4 purpose of implementing the provisions of subsection (2).

5 (2) The State Technology Office ~~of the Department of~~
6 ~~Management Services~~ is hereby authorized and directed to
7 develop and maintain a statewide system of regional law
8 enforcement communications. In formulating such a system, the
9 office shall divide the state into appropriate regions and
10 shall develop a program which shall include, but not be
11 limited to, the following provisions:

12 (a) The communications requirements for each county
13 and municipality comprising the region.

14 (b) An interagency communications provision which
15 shall depict the communication interfaces between municipal,
16 county, and state law enforcement entities which operate
17 within the region.

18 (c) Frequency allocation and use provision which shall
19 include, on an entity basis, each assigned and planned radio
20 channel and the type of operation, simplex, duplex, or
21 half-duplex, on each channel.

22 (3) The office shall adopt any necessary rules and
23 regulations for implementing and coordinating the statewide
24 system of regional law enforcement communications.

25 (4) The Chief Information Officer of the State
26 Technology Office or his or her designee is designated as the
27 director of the statewide system of regional law enforcement
28 communications and, for the purpose of carrying out the
29 provisions of this section, is authorized to coordinate the
30 activities of the system with other interested state agencies
31 and local law enforcement agencies.

1 (5) No law enforcement communications system shall be
2 established or present system expanded without the prior
3 approval of the State Technology Office ~~of the Department of~~
4 ~~Management Services.~~

5 (6) Within the limits of its capability, the
6 Department of Law Enforcement is encouraged to lend assistance
7 to the State Technology Office ~~of the Department of Management~~
8 ~~Services~~ in the development of the statewide system of
9 regional law enforcement communications proposed by this
10 section.

11 Section 18. Section 282.20, Florida Statutes, is
12 amended to read:

13 282.20 Technology Resource Center.--

14 (1)(a) The State Technology Office ~~of the Department~~
15 ~~of Management Services~~ shall operate and manage the Technology
16 Resource Center.

17 (b) For the purposes of this section, the term:

18 ~~1. "Office" means the State Technology Office of the~~
19 ~~Department of Management Services.~~

20 1.2. "Information-system utility" means a full-service
21 information-processing facility offering hardware, software,
22 operations, integration, networking, and consulting services.

23 2.3. "Customer" means a state agency or other entity
24 which is authorized to utilize the SUNCOM Network pursuant to
25 this part.

26 (2) The Technology Resource Center shall:

27 (a) Serve the office and other customers as an
28 information-system utility.

29 (b) Cooperate with customers to offer, develop, and
30 support a wide range of services and applications needed by
31 users of the Technology Resource Center.

1 (c) Cooperate with the Florida Legal Resource Center
2 of the Department of Legal Affairs and other state agencies to
3 develop and provide access to repositories of legal
4 information throughout the state.

5 (d) Cooperate with the office to facilitate
6 interdepartmental networking and integration of network
7 services for its customers.

8 (e) Assist customers in testing and evaluating new and
9 emerging technologies that could be used to meet the needs of
10 the state.

11 (3) The office may contract with customers to provide
12 any combination of services necessary for agencies to fulfill
13 their responsibilities and to serve their users.

14 ~~(4) Acceptance of any new customer other than a state~~
15 ~~agency which is expected to pay during the initial 12 months~~
16 ~~of use more than 5 percent of the previous year's revenues of~~
17 ~~the Technology Resource Center shall be contingent upon~~
18 ~~approval of the Office of Planning and Budgeting in a manner~~
19 ~~similar to the budget amendment process in s. 216.181.~~

20 (4)(5) The Technology Resource Center may plan,
21 design, establish pilot projects for, and conduct experiments
22 with information technology resources, and may implement
23 enhancements in services when such implementation is
24 cost-effective. Funding for experiments and pilot projects
25 shall be derived from service revenues and may not exceed 5
26 percent of the service revenues for the Technology Resource
27 Center for any single fiscal year. Any experiment, pilot
28 project, plan, or design must be approved by the Chief
29 Information Officer ~~of the State Technology Office.~~

30 (5)(6) Notwithstanding the provisions of s. 216.272,
31 the Technology Resource Center may spend ~~the~~ funds in the

1 reserve account of the Technology Enterprise Operating Trust
2 ~~Fund its working capital trust fund~~ for enhancements to center
3 operations or for information technology resources. Any
4 expenditure of reserve account funds must be approved by the
5 Chief Information Officer ~~of the State Technology Office~~. Any
6 funds remaining in the reserve account at the end of the
7 fiscal year may be carried forward and spent as approved by
8 the Chief Information Officer ~~of the State Technology Office~~,
9 provided that such approval conforms to any applicable
10 provisions of chapter 216.

11 Section 19. Section 282.21, Florida Statutes, is
12 amended to read:

13 282.21 The State Technology Office's ~~Office of the~~
14 ~~Department of Management Services'~~electronic access
15 services.--The State Technology Office ~~of the Department of~~
16 ~~Management Services~~ may collect fees for providing remote
17 electronic access pursuant to s. 119.085. The fees may be
18 imposed on individual transactions or as a fixed subscription
19 for a designated period of time. All fees collected under
20 this section shall be deposited in the appropriate trust fund
21 of the program or activity that made the remote electronic
22 access available.

23 Section 20. Subsections (1) and (2) of section 282.22,
24 Florida Statutes, are amended to read:

25 282.22 ~~The State Technology Office;~~of the Department
26 ~~of Management Services~~ production, and dissemination, and
27 ownership of materials and products.--

28 (1) It is the intent of the Legislature that when
29 materials, products, information, and services are acquired
30 ~~collected~~ or developed by or under the direction of the State
31 Technology Office ~~of the Department of Management Services~~,

1 through research and development or other efforts, including
2 those subject to copyright, patent, or trademark, they shall
3 be made available for use by state and local government
4 entities at the earliest practicable date and in the most
5 economical and efficient manner possible and consistent with
6 chapter 119.

7 (2) To accomplish this objective the office is
8 authorized to publish or partner with private sector entities
9 to produce or have produced materials and products and to make
10 them readily available for appropriate use. The office is
11 authorized to charge an amount or receive value-added services
12 adequate to cover the essential cost of producing and
13 disseminating such materials, information, services, or
14 products and is authorized to sell services, ~~when appropriate,~~
15 ~~to any entity who is authorized to use the SUNCOM Network~~
16 ~~pursuant to this part and to the public.~~

17 Section 21. Section 282.23, Florida Statutes, is
18 created to read:

19 282.23 State Strategic Information Technology
20 Alliance.--

21 (1) The State Technology Office, in consultation with
22 the Department of Management Services, may establish a State
23 Strategic Information Technology Alliance for the acquisition
24 and use of information technology and related material in
25 accordance with the competitive practices pursuant to the
26 purchasing provisions of chapter 287.

27 (2) The State Technology Office, in consultation with
28 the Department of Management Services, shall establish
29 policies and procedures applicable to establishing the
30 strategic alliances with prequalified contractors or partners

31

1 to provide the state with efficient, cost-effective, and
2 advanced information technology.

3 Section 22. Section 282.3041, Florida Statutes, is
4 repealed:

5 ~~282.3041 State agency responsibilities.--The head of~~
6 ~~each state agency, in consultation with the State Technology~~
7 ~~Office, is responsible and accountable for enterprise resource~~
8 ~~planning and management within the agency in accordance with~~
9 ~~legislative intent and as defined in this part.~~

10 Section 23. Section 282.3055, Florida Statutes, is
11 amended to read:

12 282.3055 Agency Chief Information Officer;
13 appointment; duties.--

14 (1)(a) To assist the State Technology Officer ~~agency~~
15 ~~head~~ in carrying out the enterprise resource planning and
16 management responsibilities, the Chief Information Officer may
17 ~~agency head shall~~ appoint, ~~in consultation with the State~~
18 ~~Technology Office,~~ or contract for an Agency a Chief
19 Information Officer ~~at a level commensurate with the role and~~
20 ~~importance of information technology resources in the agency.~~
21 This position may be full time or part time.

22 (b) The Agency Chief Information Officer must, at a
23 minimum, have knowledge and experience in both management and
24 information technology resources.

25 (2) The duties of the Agency Chief Information Officer
26 include, but are not limited to:

27 (a) Coordinating and facilitating agency enterprise
28 resource planning and management projects and initiatives.

29 (b) Preparing an agency annual report on enterprise
30 resource planning and management pursuant to s. 282.3063.

31

1 (c) Developing and implementing agency enterprise
2 resource planning and management policies, procedures, and
3 standards, including specific policies and procedures for
4 review and approval of the agency's purchases of information
5 technology resources in accordance with the office's policies
6 and procedures.

7 (d) Advising agency senior management as to the
8 enterprise resource planning and management needs of the
9 agency for inclusion in planning documents required by law.

10 (e) Assisting in the development and prioritization of
11 the enterprise resource planning and management schedule of
12 the agency's legislative budget request.

13 Section 24. Subsection (1) of section 282.3063,
14 Florida Statutes, is amended to read:

15 282.3063 Agency Annual Enterprise Resource Planning
16 and Management Report.--

17 (1) By September 1 of each year, and for the State
18 University System within 90 days after completion of the
19 expenditure analysis developed pursuant to s. 240.271(4), each
20 Agency Chief Information Officer shall prepare and submit to
21 the State Technology Office an Agency Annual Enterprise
22 Resource Planning and Management Report. Following
23 consultation with the State Technology Office and the Agency
24 Chief Information Officers Council, the Executive Office of
25 the Governor and the fiscal committees of the Legislature
26 shall jointly develop and issue instructions for the format
27 and contents of the report.

28 Section 25. Subsections (1) and (2) of section
29 282.315, Florida Statutes, are amended to read:

30 282.315 Agency Chief Information Officers Council;
31 creation.--The Legislature finds that enhancing communication,

1 consensus building, coordination, and facilitation of
2 statewide enterprise resource planning and management issues
3 is essential to improving state management of such resources.

4 (1) There is created an Agency a Chief Information
5 Officers Council to:

6 (a) Enhance communication among the Agency Chief
7 Information Officers ~~of state agencies~~ by sharing enterprise
8 resource planning and management experiences and exchanging
9 ideas.

10 (b) Facilitate the sharing of best practices that are
11 characteristic of highly successful technology organizations,
12 as well as exemplary information technology applications of
13 state agencies.

14 (c) Identify efficiency opportunities among state
15 agencies.

16 (d) Serve as an educational forum for enterprise
17 resource planning and management issues.

18 (e) Assist the State Technology Office in identifying
19 critical statewide issues and, when appropriate, make
20 recommendations for solving enterprise resource planning and
21 management deficiencies.

22 (2) Members of the council shall include the Agency
23 Chief Information Officers ~~of all state agencies~~, including
24 the Chief Information Officers of the agencies and
25 governmental entities enumerated in s. 282.3031, except that
26 there shall be one Chief Information Officer selected by the
27 state attorneys and one Chief Information Officer selected by
28 the public defenders. The chairs, or their designees, of ~~the~~
29 ~~Geographic Information Board~~, the Florida Financial Management
30 Information System Coordinating Council, the Criminal and
31 Juvenile Justice Information Systems Council, and the Health

1 Information Systems Council shall represent their respective
2 organizations on the Chief Information Officers Council as
3 voting members.

4 Section 26. Subsection (2) of section 282.318, Florida
5 Statutes, is amended to read:

6 282.318 Security of data and information technology
7 resources.--

8 (2)(a) ~~Each agency head, in consultation with The~~
9 State Technology Office, in consultation with each agency
10 head, is responsible and accountable for assuring an adequate
11 level of security for all data and information technology
12 resources of each ~~the~~ agency and, to carry out this
13 responsibility, shall, at a minimum:

14 1. Designate an information security manager who shall
15 administer the security program of each ~~the~~ agency for its
16 data and information technology resources.

17 2. Conduct, and periodically update, a comprehensive
18 risk analysis to determine the security threats to the data
19 and information technology resources of each ~~the~~ agency. The
20 risk analysis information is confidential and exempt from the
21 provisions of s. 119.07(1), except that such information shall
22 be available to the Auditor General in performing his or her
23 postauditing duties.

24 3. Develop, and periodically update, written internal
25 policies and procedures to assure the security of the data and
26 information technology resources of each ~~the~~ agency. The
27 internal policies and procedures which, if disclosed, could
28 facilitate the unauthorized modification, disclosure, or
29 destruction of data or information technology resources are
30 confidential information and exempt from the provisions of s.
31 119.07(1), except that such information shall be available to

1 the Auditor General in performing his or her postauditing
2 duties.

3 4. Implement appropriate cost-effective safeguards to
4 reduce, eliminate, or recover from the identified risks to the
5 data and information technology resources of each ~~the~~ agency.

6 5. Ensure that periodic internal audits and
7 evaluations of each ~~the~~ security program for the data and
8 information technology resources of the agency are conducted.
9 The results of such internal audits and evaluations are
10 confidential information and exempt from the provisions of s.
11 119.07(1), except that such information shall be available to
12 the Auditor General in performing his or her postauditing
13 duties.

14 6. Include appropriate security requirements, as
15 determined by the State Technology Office, in consultation
16 with each agency head, in the written specifications for the
17 solicitation of information technology resources.

18 (b) In those instances in which the State Technology
19 Office ~~of the Department of Management Services~~ develops state
20 contracts for use by state agencies, the office ~~department~~
21 shall include appropriate security requirements in the
22 specifications for the solicitation for state contracts for
23 procuring information technology resources.

24 Section 27. Section 282.322, Florida Statutes, is
25 amended to read:

26 282.322 High-risk information technology projects;
27 reporting, monitoring, and assessment ~~Special monitoring~~
28 ~~process for designated information resources management~~
29 ~~projects.--~~The Enterprise Project Management Office of the
30 State Technology Office shall report any information
31 technology projects the office identifies as high-risk to the

1 Executive Office of the Governor, the President of the Senate,
2 the Speaker of the House of Representatives, and the
3 appropriations committee chairs of the Senate and the House of
4 Representatives. In addition to monitoring and reporting on
5 such high-risk information technology projects, the Enterprise
6 Project Management Office shall assess the levels of risks
7 associated with proceeding to the next stage of the project.
8 ~~For each information resources management project which is~~
9 ~~designated for special monitoring in the General~~
10 ~~Appropriations Act, with a proviso requiring a contract with a~~
11 ~~project monitor, the Technology Review Workgroup established~~
12 ~~pursuant to s. 216.0446, in consultation with each affected~~
13 ~~agency, shall be responsible for contracting with the project~~
14 ~~monitor. Upon contract award, funds equal to the contract~~
15 ~~amount shall be transferred to the Technology Review Workgroup~~
16 ~~upon request and subsequent approval of a budget amendment~~
17 ~~pursuant to s. 216.292. With the concurrence of the~~
18 ~~Legislative Auditing Committee, the office of the Auditor~~
19 ~~General shall be the project monitor for other projects~~
20 ~~designated for special monitoring. However, nothing in this~~
21 ~~section precludes the Auditor General from conducting such~~
22 ~~monitoring on any project designated for special monitoring.~~
23 ~~In addition to monitoring and reporting on significant~~
24 ~~communications between a contracting agency and the~~
25 ~~appropriate federal authorities, the project monitoring~~
26 ~~process shall consist of evaluating each major stage of the~~
27 ~~designated project to determine whether the deliverables have~~
28 ~~been satisfied and to assess the level of risks associated~~
29 ~~with proceeding to the next stage of the project. The major~~
30 ~~stages of each designated project shall be determined based on~~
31 ~~the agency's information systems development methodology.~~

1 ~~Within 20 days after an agency has completed a major stage of~~
2 ~~its designated project or at least 90 days, the project~~
3 ~~monitor shall issue a written report, including the findings~~
4 ~~and recommendations for correcting deficiencies, to the agency~~
5 ~~head, for review and comment. Within 20 days after receipt of~~
6 ~~the project monitor's report, the agency head shall submit a~~
7 ~~written statement of explanation or rebuttal concerning the~~
8 ~~findings and recommendations of the project monitor, including~~
9 ~~any corrective action to be taken by the agency. The project~~
10 ~~monitor shall include the agency's statement in its final~~
11 ~~report, which shall be forwarded, within 7 days after receipt~~
12 ~~of the agency's statement, to the agency head, the inspector~~
13 ~~general's office of the agency, the Executive Office of the~~
14 ~~Governor, the appropriations committees of the Legislature,~~
15 ~~the Joint Legislative Auditing Committee, the Technology~~
16 ~~Review Workgroup, the President of the Senate, the Speaker of~~
17 ~~the House of Representatives, and the Office of Program Policy~~
18 ~~Analysis and Government Accountability. The Auditor General~~
19 ~~shall also receive a copy of the project monitor's report for~~
20 ~~those projects in which the Auditor General is not the project~~
21 ~~monitor.~~

22 Section 28. (1) Each state agency that entered into a
23 memorandum of agreement with the State Technology Office by
24 March 15, 2001, regarding consolidation of information
25 technology resources and staff, shall transfer the positions
26 identified in the memoranda and the associated rate and the
27 amount of approved budget to the State Technology Office on
28 October 1, 2001. The total number of positions transferred to
29 the State Technology Office shall not exceed 1,760 full-time
30 positions. Such transfers shall be subject to approval by the
31

1 Legislative Budget Commission pursuant to chapter 216, Florida
2 Statutes.

3 (2) Each state agency required to transfer positions
4 pursuant to subsection (1) shall also transfer administrative
5 support personnel and associated rate and the amount of
6 approved budget to the State Technology Office. The number of
7 administrative support positions transferred by each agency
8 shall not exceed 5 percent of the number of positions
9 transferred pursuant to subsection (1). Such transfers shall
10 take effect July 15, 2001. Such transfers shall be subject to
11 approval by the Legislative Budget Commission pursuant to
12 chapter 216, Florida Statutes.

13 (3) The State Technology Office and the individual
14 agencies may request subsequent transfers of full-time
15 positions and associated rate and funds during the fiscal year
16 to meet the levels of service agreed to between the State
17 Technology Office and the agencies. Such transfers shall be
18 subject to approval by the Legislative Budget Commission
19 pursuant to chapter 216, Florida Statutes.

20 (4) The State Technology Office is authorized to
21 charge back to each participating agency an amount equal to
22 the total of all direct and indirect costs of administering
23 the agreement with the agency and the total of all direct and
24 indirect costs of rendering the performances required of the
25 State Technology Office under such agreements.

26 (5) Any resources transferred to the State Technology
27 Office which were dedicated to a federally funded system shall
28 remain allocated to that system until the appropriate federal
29 agency or authority confirms in writing that another plan for
30 supporting the system will not result in federal sanctions.

31

1 (6) The corresponding amounts necessary to execute
2 subsections (1)-(3) are appropriated to the state agencies for
3 transfer to the State Technology Office. Such amounts and
4 specific funds shall be equivalent to the amount of approved
5 budget reduced from state agencies in subsections (1)-(3),
6 subject to approval by the Legislative Budget Commission.

7 Section 29. Section 282.404, Florida Statutes, is
8 repealed.

9 Section 30. This act shall take effect July 1, 2001.

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HOUSE SUMMARY

Creates the State Technology Office within the Department of Management Services. Requires the office to operate and manage the Technology Resource Center. Provides career service exemptions for specified officers and personnel within the State Technology Office.

Revises the entities required to annually develop and submit an information technology strategic plan. Provides for the State Technology Office to administer and approve development of information technology strategic plans. Revises provisions relating to the review of long-range program plans for executive agencies by the Executive Office of the Governor. Provides that the Executive Office of the Governor shall consider the findings of the State Technology Office with respect to the State Annual Report on Enterprise Resource Planning and Management and statewide policies adopted by the State Technology Office.

Eliminates the Technology Review Workgroup. Provides for assumption of the duties of the Technology Review Workgroup by the State Technology Office. Requires the reporting of specified information to the Executive Office of the Governor. Provides powers and duties of the State Technology Office.

Provides requirements with respect to an amendment to the original approved operating budget for specified information technology projects or initiatives.

Transfers specified responsibilities with respect to the Innovation Investment Program Act from the Department of Management Services to the Office of Tourism, Trade, and Economic Development within the Executive Office of the Governor. Revises the membership of the State Innovation Committee.

Authorizes state agencies to transfer positions and appropriations for fiscal year 2001-2002 for the purpose of consolidating information technology resources to the State Technology Office. Revises legislative findings and intent with respect to the Information Resources Management Act of 1997. Provides that the State Technology Office has primary responsibility and accountability for information technology matters within the state. Defines "information technology" for purposes of the act. Revises powers and duties of the State Technology Office. Provides that the office shall be a separate budget entity within the Department of Management Services. Provides that the Chief Information Officer shall be an agency head. Authorizes the office to perform, in consultation with a state agency, the

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1 enterprise resource planning and management for the
2 agency. Authorizes the office to apply for, receive, and
3 hold specified patents, copyrights, trademarks, and
4 service marks. Authorizes the office to purchase, lease,
5 hold, sell, transfer, license, and dispose of specified
6 real, personal, and intellectual property. Provides for
7 deposit of specified fees into the Law Enforcement Radio
8 Operating Trust Fund. Authorizes the State Technology
9 Office to grant an agency exemption from required use of
specified SUNCOM Network services. Renames the State
Agency Law Enforcement Radio System Trust Fund as the Law
Enforcement Radio Operating Trust Fund. Requires the
office to establish policies, procedures, and standards
for a comprehensive plan for a statewide radio
communications system. Eliminates provisions relating to
establishment and funding of specified positions.

10 Removes provisions relating to the acceptance of new
11 customers by the Technology Resource Center. Authorizes
12 the center to spend funds in the reserve account of the
13 Technology Enterprise Operating Trust Fund. Removes
14 specified restrictions on the office's authority to sell
15 services. Authorizes the State Technology Office, in
consultation with the Department of Management Services,
to establish a State Strategic Information Technology
Alliance, provides purposes of the alliance, and provides
for the establishment of policies and procedures.

16 Repeals provisions which provide that the head of each
17 state agency is responsible and accountable for
18 enterprise resource planning and management within the
19 agency. Authorizes the Chief Information Officer to
20 appoint or contract for Agency Chief Information Officers
21 to assist in carrying out enterprise resource planning
22 and management responsibilities. Requires Agency Chief
Information Officers to prepare and submit an Agency
Annual Enterprise Resource Planning and Management
Report. Renames the Chief Information Officers Council
as the Agency Chief Information Officers Council and
revises the voting membership of the council.

23 Eliminates provisions relating to the special monitoring
24 process for designated information resources management
25 projects and requires the Enterprise Project Management
26 Office of the State Technology Office to report on,
monitor, and assess risk levels of specified high-risk
technology projects.

27 Requires certain state agencies to transfer described
28 positions and administrative support personnel to the
29 State Technology Office by specified dates. Provides
30 limits on the number of positions and administrative
31 support personnel transferred. Provides that the State
Technology Office and the relevant agencies are
authorized to request subsequent transfers of positions,
subject to approval by the Legislative Budget Commission.
Provides requirements with respect to transferred
resources which were dedicated to a federally funded

1 system. Provides appropriations.
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3 Abolishes the Florida Geographic Information Board within
4 the State Technology Office.
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