

1 A bill to be entitled
2 An act relating to technology innovation; amending s.
3 20.22, F.S.; deleting the Division of State Technology
4 from, and adding the Florida Digital Service and the
5 Division of Telecommunications to, the Department of
6 Management Services; amending s. 110.205, F.S.;
7 providing additional positions that are exempt from
8 certain requirements in the career service system;
9 requiring the department to set the salary and
10 benefits of such positions; amending s. 282.0041,
11 F.S.; providing definitions; amending s. 282.0051,
12 F.S.; establishing and housing the Florida Digital
13 Service within the department; providing purpose;
14 transferring and revising specified powers, duties,
15 and functions of the Division of State Technology to
16 the Florida Digital Service; requiring the Florida
17 Digital Service to develop an enterprise architecture;
18 providing requirements for such enterprise
19 architecture; requiring the department to act through
20 the Florida Digital Service for certain duties and
21 powers; requiring designations and duties of specified
22 officers; providing experience requirements for such
23 officers; providing powers and duties of the Florida
24 Digital Service; prohibiting the department from
25 retrieving or disclosing data under circumstances;

26 | authorizing the department to adopt rules through the
27 | Florida Digital Service; amending s. 282.00515, F.S.;
28 | revising certain standards that the Department of
29 | Legal Affairs, the Department of Financial Services,
30 | and the Department of Agriculture and Consumer
31 | Services must adopt; requiring the departments to
32 | notify the Governor and the Legislature if the
33 | departments adopt alternative standards in lieu of
34 | enterprise architecture standards; providing
35 | requirements for the notification; providing
36 | construction; prohibiting the Florida Digital Service
37 | from retrieving or disclosing data under certain
38 | circumstances; amending ss. 282.318, 287.0591,
39 | 365.171, 365.172, 365.173, and 943.0415, F.S.;
40 | conforming provisions to changes made by the act;
41 | providing a directive to the Division of Law Revision;
42 | creating s. 559.952, F.S.; providing a short title;
43 | creating the Financial Technology Sandbox within the
44 | Office of Financial Regulation; providing definitions;
45 | providing certain exceptions to general law and
46 | certain waivers of rule requirements to specified
47 | persons under certain circumstances; providing
48 | circumstances under which the office may approve a
49 | Financial Technology Sandbox application; authorizing
50 | licensees to conduct business through electronic

51 means; requiring certain persons to seek a declaratory
52 statement before filing an application for the
53 program; requiring an application for the program for
54 business entities to make innovative financial
55 products or services available to consumers; providing
56 application requirements; providing standards for
57 application approval or refusal; providing limitations
58 on the number of consumers of innovative financial
59 products or services; providing a licensee's
60 continuing obligation; providing operation of the
61 sandbox; requiring a licensee to provide written
62 statements to consumers under certain circumstances;
63 authorizing the office to enter into an agreement with
64 certain regulatory agencies for specified purposes;
65 authorizing the office to examine specified records;
66 providing extension and conclusion of the sandbox
67 period; requiring written notification to consumers
68 within a timeframe before the end of an extension or
69 the conclusion of the sandbox period; providing acts
70 that licensees may and may not engage in at the end of
71 an extension or the conclusion of the sandbox period;
72 requiring licensees to submit a report; providing
73 report requirements; providing construction; providing
74 that licensees are not immune from civil damages and
75 are subject to criminal and consumer protection laws

76 and certain general laws; providing penalties;
 77 providing service of process; requiring the Financial
 78 Services Commission to adopt rules; authorizing the
 79 office to issue certain orders and to enforce them in
 80 accordance with ch. 120, F.S., or in court; providing
 81 that such orders include orders for payment of
 82 restitution; providing an appropriation; providing
 83 that specified provisions of the act are contingent
 84 upon passage of other provisions addressing public
 85 records; providing effective dates.

86
 87 Be It Enacted by the Legislature of the State of Florida:

88
 89 Section 1. Subsection (2) of section 20.22, Florida
 90 Statutes, is amended to read:

91 20.22 Department of Management Services.—There is created
 92 a Department of Management Services.

93 (2) The following divisions, ~~and~~ programs, and services
 94 within the Department of Management Services are established:

95 (a) The Facilities Program.

96 (b) The Florida Digital Service ~~Division of State~~
 97 ~~Technology, the director of which is appointed by the secretary~~
 98 ~~of the department and shall serve as the state chief information~~
 99 ~~officer. The state chief information officer must be a proven,~~
 100 ~~effective administrator who must have at least 10 years of~~

101 ~~executive-level experience in the public or private sector,~~
102 ~~preferably with experience in the development of information~~
103 ~~technology strategic planning and the development and~~
104 ~~implementation of fiscal and substantive information technology~~
105 ~~policy and standards.~~

106 (c) The Workforce Program.

107 (d)1. The Support Program.

108 2. The Federal Property Assistance Program.

109 (e) The Administration Program.

110 (f) The Division of Administrative Hearings.

111 (g) The Division of Retirement.

112 (h) The Division of State Group Insurance.

113 (i) The Division of Telecommunications.

114 Section 2. Paragraph (e) of subsection (2) of section
115 110.205, Florida Statutes is amended to read:

116 (2) EXEMPT POSITIONS.—The exempt positions that are not
117 covered by this part include the following:

118 (e) The state chief information officer, the state chief
119 data officer, and the state chief information security officer.

120 ~~Unless otherwise fixed by law,~~ The Department of Management
121 Services shall set the salary and benefits of these positions
122 ~~this position~~ in accordance with the rules of the Senior
123 Management Service.

124 Section 3. Section 282.0041, Florida Statutes, is amended
125 to read:

126 282.0041 Definitions.—As used in this chapter, the term:

127 (1) "Agency assessment" means the amount each customer
 128 entity must pay annually for services from the Department of
 129 Management Services and includes administrative and data center
 130 services costs.

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

133 (3) "Breach" has the same meaning as provided in s.
 134 501.171.

135 (4) "Business continuity plan" means a collection of
 136 procedures and information designed to keep an agency's critical
 137 operations running during a period of displacement or
 138 interruption of normal operations.

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

142 (6) "Computing facility" or "agency computing facility"
 143 means agency space containing fewer than a total of 10 physical
 144 or logical servers, but excluding single, logical-server
 145 installations that exclusively perform a utility function such
 146 as file and print servers.

147 (7) "Customer entity" means an entity that obtains
 148 services from the Department of Management Services.

149 (8) "Data" means a subset of structured information in a
 150 format that allows such information to be electronically

151 retrieved and transmitted.

152 (9) "Data governance" means the practice of organizing,
153 classifying, securing, and implementing policies, procedures,
154 and standards for the effective use of an organization's data.

155 (10)-(9) "Department" means the Department of Management
156 Services.

157 (11)-(10) "Disaster recovery" means the process, policies,
158 procedures, and infrastructure related to preparing for and
159 implementing recovery or continuation of an agency's vital
160 technology infrastructure after a natural or human-induced
161 disaster.

162 (12) "Electronic" means technology having electrical,
163 digital, magnetic, wireless, optical, electromagnetic, or
164 similar capabilities.

165 (13) "Electronic credential" means an electronic
166 representation of the identity of a person, organization,
167 application, or device.

168 (14) "Enterprise" means state agencies and the Department
169 of Legal Affairs, the Department of Agriculture and Consumer
170 Services, and the Department of Financial Services.

171 (15) "Enterprise architecture" means a comprehensive
172 operational framework that contemplates the needs and assets of
173 the enterprise to support interoperability.

174 (16)-(11) "Enterprise information technology service" means
175 an information technology service that is used in all agencies

176 or a subset of agencies and is established in law to be
177 designed, delivered, and managed at the enterprise level.

178 (17)~~(12)~~ "Event" means an observable occurrence in a
179 system or network.

180 (18)~~(13)~~ "Incident" means a violation or imminent threat
181 of violation, whether such violation is accidental or
182 deliberate, of information technology resources, security,
183 policies, or practices. An imminent threat of violation refers
184 to a situation in which the state agency has a factual basis for
185 believing that a specific incident is about to occur.

186 (19)~~(14)~~ "Information technology" means equipment,
187 hardware, software, firmware, programs, systems, networks,
188 infrastructure, media, and related material used to
189 automatically, electronically, and wirelessly collect, receive,
190 access, transmit, display, store, record, retrieve, analyze,
191 evaluate, process, classify, manipulate, manage, assimilate,
192 control, communicate, exchange, convert, converge, interface,
193 switch, or disseminate information of any kind or form.

194 (20)~~(15)~~ "Information technology policy" means a definite
195 course or method of action selected from among one or more
196 alternatives that guide and determine present and future
197 decisions.

198 (21)~~(16)~~ "Information technology resources" has the same
199 meaning as provided in s. 119.011.

200 (22)~~(17)~~ "Information technology security" means the

201 protection afforded to an automated information system in order
202 to attain the applicable objectives of preserving the integrity,
203 availability, and confidentiality of data, information, and
204 information technology resources.

205 (23) "Interoperability" means the technical ability to
206 share and use data across and throughout the enterprise.

207 (24)-(18) "Open data" means data collected or created by a
208 state agency, the Department of Legal Affairs, the Department of
209 Agriculture and Consumer Services, or the Department of
210 Financial Services, and structured in a way that enables the
211 data to be fully discoverable and usable by the public. The term
212 does not include data that are restricted from public disclosure
213 ~~distribution~~ based on federal or state privacy, confidentiality,
214 and security laws and regulations or data for which a state
215 agency, the Department of Legal Affairs, the Department of
216 Agriculture and Consumer Services, or the Department of
217 Financial Services is statutorily authorized to assess a fee for
218 its distribution.

219 (25)-(19) "Performance metrics" means the measures of an
220 organization's activities and performance.

221 (26)-(20) "Project" means an endeavor that has a defined
222 start and end point; is undertaken to create or modify a unique
223 product, service, or result; and has specific objectives that,
224 when attained, signify completion.

225 (27)-(21) "Project oversight" means an independent review

226 and analysis of an information technology project that provides
227 information on the project's scope, completion timeframes, and
228 budget and that identifies and quantifies issues or risks
229 affecting the successful and timely completion of the project.

230 (28)~~(22)~~ "Risk assessment" means the process of
231 identifying security risks, determining their magnitude, and
232 identifying areas needing safeguards.

233 (29)~~(23)~~ "Service level" means the key performance
234 indicators (KPI) of an organization or service which must be
235 regularly performed, monitored, and achieved.

236 (30)~~(24)~~ "Service-level agreement" means a written
237 contract between the Department of Management Services and a
238 customer entity which specifies the scope of services provided,
239 service level, the duration of the agreement, the responsible
240 parties, and service costs. A service-level agreement is not a
241 rule pursuant to chapter 120.

242 (31)~~(25)~~ "Stakeholder" means a person, group,
243 organization, or state agency involved in or affected by a
244 course of action.

245 (32)~~(26)~~ "Standards" means required practices, controls,
246 components, or configurations established by an authority.

247 (33)~~(27)~~ "State agency" means any official, officer,
248 commission, board, authority, council, committee, or department
249 of the executive branch of state government; the Justice
250 Administrative Commission; and the Public Service Commission.

251 The term does not include university boards of trustees or state
 252 universities. As used in part I of this chapter, except as
 253 otherwise specifically provided, the term does not include the
 254 Department of Legal Affairs, the Department of Agriculture and
 255 Consumer Services, or the Department of Financial Services.

256 (34)~~(28)~~ "SUNCOM Network" means the state enterprise
 257 telecommunications system that provides all methods of
 258 electronic or optical telecommunications beyond a single
 259 building or contiguous building complex and used by entities
 260 authorized as network users under this part.

261 (35)~~(29)~~ "Telecommunications" means the science and
 262 technology of communication at a distance, including electronic
 263 systems used in the transmission or reception of information.

264 (36)~~(30)~~ "Threat" means any circumstance or event that has
 265 the potential to adversely impact a state agency's operations or
 266 assets through an information system via unauthorized access,
 267 destruction, disclosure, or modification of information or
 268 denial of service.

269 (37)~~(31)~~ "Variance" means a calculated value that
 270 illustrates how far positive or negative a projection has
 271 deviated when measured against documented estimates within a
 272 project plan.

273 Section 4. Section 282.0051, Florida Statutes, is amended
 274 to read:

275 282.0051 Florida Digital Service ~~Department of Management~~

276 ~~Services; powers, duties, and functions.~~ There is established
277 the Florida Digital Service within the department to create
278 innovative solutions that securely modernize state government,
279 achieve value through digital transformation and
280 interoperability, and fully support the cloud-first policy as
281 specified in s. 282.206.

282 (1) The Florida Digital Service, housed within the
283 department, shall have the following powers, duties, and
284 functions:

285 (a) ~~(1)~~ Develop and publish information technology policy
286 for the management of the state's information technology
287 resources.

288 (b) ~~(2)~~ Develop an enterprise architecture that: ~~Establish~~
289 ~~and publish information technology architecture standards to~~
290 ~~provide for the most efficient use of the state's information~~
291 ~~technology resources and to ensure compatibility and alignment~~
292 ~~with the needs of state agencies. The department shall assist~~
293 ~~state agencies in complying with the standards.~~

294 1. Acknowledges the unique needs of the entities within
295 the enterprise in the development and publication of standards
296 and terminologies to facilitate digital interoperability.

297 2. Supports the cloud-first policy as specified in s.
298 282.206.

299 3. Addresses how information technology infrastructures
300 may be modernized to achieve cloud-first objectives.

301 (c)~~(3)~~ Establish project management and oversight
302 standards with which state agencies must comply when
303 implementing information technology projects. The department,
304 acting through the Florida Digital Service, shall provide
305 training opportunities to state agencies to assist in the
306 adoption of the project management and oversight standards. To
307 support data-driven decisionmaking, the standards must include,
308 but are not limited to:

309 1.~~(a)~~ Performance measurements and metrics that
310 objectively reflect the status of an information technology
311 project based on a defined and documented project scope, cost,
312 and schedule.

313 2.~~(b)~~ Methodologies for calculating acceptable variances
314 in the projected versus actual scope, schedule, or cost of an
315 information technology project.

316 3.~~(c)~~ Reporting requirements, including requirements
317 designed to alert all defined stakeholders that an information
318 technology project has exceeded acceptable variances defined and
319 documented in a project plan.

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

321 (d)~~(4)~~ Perform project oversight on all state agency
322 information technology projects that have total project costs of
323 \$10 million or more and that are funded in the General
324 Appropriations Act or any other law. The department, acting
325 through the Florida Digital Service, shall report at least

326 quarterly to the Executive Office of the Governor, the President
327 of the Senate, and the Speaker of the House of Representatives
328 on any information technology project that the Florida Digital
329 Service ~~department~~ identifies as high-risk due to the project
330 exceeding acceptable variance ranges defined and documented in a
331 project plan. The report must include a risk assessment,
332 including fiscal risks, associated with proceeding to the next
333 stage of the project, and a recommendation for corrective
334 actions required, including suspension or termination of the
335 project.

336 (e) ~~(5)~~ Identify opportunities for standardization and
337 consolidation of information technology services that support
338 interoperability and the cloud-first policy, as specified in s.
339 282.206, and business functions and operations, including
340 administrative functions such as purchasing, accounting and
341 reporting, cash management, and personnel, and that are common
342 across state agencies. The department, acting through the
343 Florida Digital Service, shall biennially on April 1 provide
344 recommendations for standardization and consolidation to the
345 Executive Office of the Governor, the President of the Senate,
346 and the Speaker of the House of Representatives.

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

351 (g)~~(7)~~ Develop standards for information technology
352 reports and updates, including, but not limited to, operational
353 work plans, project spend plans, and project status reports, for
354 use by state agencies.

355 (h)~~(8)~~ Upon request, assist state agencies in the
356 development of information technology-related legislative budget
357 requests.

358 (i)~~(9)~~ Conduct annual assessments of state agencies to
359 determine compliance with all information technology standards
360 and guidelines developed and published by the department and
361 provide results of the assessments to the Executive Office of
362 the Governor, the President of the Senate, and the Speaker of
363 the House of Representatives.

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

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

370 2.~~(b)~~ Developing and implementing cost-recovery or other
371 payment mechanisms that recover the full direct and indirect
372 cost of services through charges to applicable customer
373 entities. Such cost-recovery or other payment mechanisms must
374 comply with applicable state and federal regulations concerning
375 distribution and use of funds and must ensure that, for any

376 | fiscal year, no service or customer entity subsidizes another
377 | service or customer entity.

378 | ~~3.(e)~~ Developing and implementing appropriate operating
379 | guidelines and procedures necessary for the state data center to
380 | perform its duties pursuant to s. 282.201. The guidelines and
381 | procedures must comply with applicable state and federal laws,
382 | regulations, and policies and conform to generally accepted
383 | governmental accounting and auditing standards. The guidelines
384 | and procedures must include, but need not be limited to:

385 | ~~a.1.~~ Implementing a consolidated administrative support
386 | structure responsible for providing financial management,
387 | procurement, transactions involving real or personal property,
388 | human resources, and operational support.

389 | ~~b.2.~~ Implementing an annual reconciliation process to
390 | ensure that each customer entity is paying for the full direct
391 | and indirect cost of each service as determined by the customer
392 | entity's use of each service.

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

395 | ~~d.4.~~ Requiring customer entities to validate that
396 | sufficient funds exist in the appropriate data processing
397 | appropriation category or will be transferred into the
398 | appropriate data processing appropriation category before
399 | implementation of a customer entity's request for a change in
400 | the type or level of service provided, if such change results in

401 a net increase to the customer entity's cost for that fiscal
402 year.

403 ~~e.5.~~ By November 15 of each year, providing to the Office
404 of Policy and Budget in the Executive Office of the Governor and
405 to the chairs of the legislative appropriations committees the
406 projected costs of providing data center services for the
407 following fiscal year.

408 ~~f.6.~~ Providing a plan for consideration by the Legislative
409 Budget Commission if the cost of a service is increased for a
410 reason other than a customer entity's request made pursuant to
411 sub-subparagraph d. ~~subparagraph 4.~~ Such a plan is required only
412 if the service cost increase results in a net increase to a
413 customer entity for that fiscal year.

414 ~~g.7.~~ Standardizing and consolidating procurement and
415 contracting practices.

416 ~~4.(d)~~ In collaboration with the Department of Law
417 Enforcement, developing and implementing a process for
418 detecting, reporting, and responding to information technology
419 security incidents, breaches, and threats.

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

424 ~~6.(f)~~ Conducting an annual market analysis to determine
425 whether the state's approach to the provision of data center

426 services is the most effective and cost-efficient manner by
427 which its customer entities can acquire such services, based on
428 federal, state, and local government trends; best practices in
429 service provision; and the acquisition of new and emerging
430 technologies. The results of the market analysis shall assist
431 the state data center in making adjustments to its data center
432 service offerings.

433 (k)~~(11)~~ Recommend other information technology services
434 that should be designed, delivered, and managed as enterprise
435 information technology services. Recommendations must include
436 the identification of existing information technology resources
437 associated with the services, if existing services must be
438 transferred as a result of being delivered and managed as
439 enterprise information technology services.

440 (l)~~(12)~~ In consultation with state agencies, propose a
441 methodology and approach for identifying and collecting both
442 current and planned information technology expenditure data at
443 the state agency level.

444 (m) 1.~~(13)~~~~(a)~~ Notwithstanding any other law, provide
445 project oversight on any information technology project of the
446 Department of Financial Services, the Department of Legal
447 Affairs, and the Department of Agriculture and Consumer Services
448 which has a total project cost of \$25 million or more and which
449 impacts one or more other agencies. Such information technology
450 projects must also comply with the applicable information

451 technology architecture, project management and oversight, and
452 reporting standards established by the department, acting
453 through the Florida Digital Service.

454 2.~~(b)~~ When performing the project oversight function
455 specified in subparagraph 1. ~~paragraph (a)~~, report at least
456 quarterly to the Executive Office of the Governor, the President
457 of the Senate, and the Speaker of the House of Representatives
458 on any information technology project that the department,
459 acting through the Florida Digital Service, identifies as high-
460 risk due to the project exceeding acceptable variance ranges
461 defined and documented in the project plan. The report shall
462 include a risk assessment, including fiscal risks, associated
463 with proceeding to the next stage of the project and a
464 recommendation for corrective actions required, including
465 suspension or termination of the project.

466 (n)~~(14)~~ If an information technology project implemented
467 by a state agency must be connected to or otherwise accommodated
468 by an information technology system administered by the
469 Department of Financial Services, the Department of Legal
470 Affairs, or the Department of Agriculture and Consumer Services,
471 consult with these departments regarding the risks and other
472 effects of such projects on their information technology systems
473 and work cooperatively with these departments regarding the
474 connections, interfaces, timing, or accommodations required to
475 implement such projects.

476 ~~(o) (15)~~ If adherence to standards or policies adopted by
477 or established pursuant to this section causes conflict with
478 federal regulations or requirements imposed on an entity within
479 the enterprise ~~a state agency~~ and results in adverse action
480 against the entity ~~state agency~~ or federal funding, work with
481 the entity ~~state agency~~ to provide alternative standards,
482 policies, or requirements that do not conflict with the federal
483 regulation or requirement. The department, acting through the
484 Florida Digital Service, shall annually report such alternative
485 standards to the Governor, the President of the Senate, and the
486 Speaker of the House of Representatives.

487 ~~(p) 1. (16) (a)~~ Establish an information technology policy
488 for all information technology-related state contracts,
489 including state term contracts for information technology
490 commodities, consultant services, and staff augmentation
491 services. The information technology policy must include:

492 ~~a. 1.~~ Identification of the information technology product
493 and service categories to be included in state term contracts.

494 ~~b. 2.~~ Requirements to be included in solicitations for
495 state term contracts.

496 ~~c. 3.~~ Evaluation criteria for the award of information
497 technology-related state term contracts.

498 ~~d. 4.~~ The term of each information technology-related state
499 term contract.

500 ~~e. 5.~~ The maximum number of vendors authorized on each

501 state term contract.

502 2.~~(b)~~ Evaluate vendor responses for information
503 technology-related state term contract solicitations and
504 invitations to negotiate.

505 3.~~(e)~~ Answer vendor questions on information technology-
506 related state term contract solicitations.

507 4.~~(d)~~ Ensure that the information technology policy
508 established pursuant to subparagraph 1. ~~paragraph (a)~~ is
509 included in all solicitations and contracts that are
510 administratively executed by the department.

511 (g)~~(17)~~ Recommend potential methods for standardizing data
512 across state agencies which will promote interoperability and
513 reduce the collection of duplicative data.

514 (r)~~(18)~~ Recommend open data technical standards and
515 terminologies for use by the enterprise ~~state~~ agencies.

516 (s) Ensure that enterprise information technology
517 solutions are capable of using an electronic credential and
518 comply with the enterprise architecture standards.

519 (2) (a) The Secretary of Management Services shall
520 designate a state chief information officer, who shall
521 administer the Florida Digital Service. Before being appointed,
522 the state chief information officer must have at least 5 years
523 of experience in the development of information system strategic
524 planning and development of information technology policy and,
525 preferably, have leadership-level experience in the design,

526 development, and deployment of interoperable software and data
527 solutions.

528 (b) The state chief information officer, in consultation
529 with the Secretary of Management Services, shall designate a
530 state chief data officer. The state chief data officer must be a
531 proven, effective administrator who must have significant and
532 substantive experience in data management, data governance,
533 interoperability, and security.

534 (3) Pursuant to legislative appropriation, the Florida
535 Digital Service shall:

536 (a) In collaboration with the enterprise, create and
537 maintain a comprehensive indexed data catalog that lists the
538 data elements housed within the enterprise and the legacy system
539 or application in which these data elements are located. The
540 data catalog must, at a minimum, specifically identify all data
541 that is restricted from public disclosure based on federal or
542 state laws and regulations, and require that all such
543 information be protected in accordance with s. 282.318.

544 (b) In collaboration with the enterprise, develop and
545 publish a data dictionary for each agency that reflects the
546 nomenclature in the comprehensive indexed data catalog.

547 (c) Review and document use cases across the enterprise
548 architecture.

549 (d) Develop and publish standards that support the
550 creation and deployment of an application programming interface

551 to facilitate integration throughout the enterprise.

552 (e) Publish standards necessary to facilitate a secure
553 ecosystem of interoperability that is compliant with the
554 enterprise architecture.

555 (f) Publish standards that facilitate the deployment of
556 applications or solutions to existing enterprise systems in a
557 controlled and phased approach, including, but not limited to:

558 1. Interoperability that enables supervisors of elections
559 to authenticate voter eligibility in real time at the point of
560 service.

561 2. The criminal justice database.

562 3. Motor vehicle insurance cancellation integration
563 between insurers and the Department of Highway Safety and Motor
564 Vehicles.

565 4. Interoperability solutions between agencies, including,
566 but not limited to, the Department of Health, the Agency for
567 Health Care Administration, the Agency for Persons with
568 Disabilities, the Department of Education, the Department of
569 Elderly Affairs, and the Department of Children and Families.

570 5. Interoperability solutions to support military members,
571 veterans, and their families.

572 (4) Upon the adoption of the enterprise architecture
573 standards, the department, acting through the Florida Digital
574 Service, may develop a process to:

575 (a) Receive written notice from the entities within the

576 enterprise of any planned procurement of an information
577 technology project that is subject to enterprise architecture
578 standards.

579 (b) Participate in the development of specifications and
580 recommend modifications to any planned procurement by state
581 agencies so that the procurement complies with the enterprise
582 architecture.

583 (5) The department, acting through the Florida Digital
584 Service, may not retrieve or disclose any data without a data-
585 sharing agreement in place between the Florida Digital Service
586 and the enterprise entity that has primary custodial
587 responsibility of, or data sharing responsibility for, that
588 data.

589 (6) ~~(19)~~ The department, acting through the Florida Digital
590 Service, may adopt rules to administer this section.

591 Section 5. Section 282.00515, Florida Statutes, is amended
592 to read:

593 282.00515 Duties of Cabinet Agencies.—

594 (1) The Department of Legal Affairs, the Department of
595 Financial Services, and the Department of Agriculture and
596 Consumer Services shall adopt the enterprise architecture
597 standards established in s. 282.0051(1)(b), (1)(c), (1)(r), and
598 (3)(e) s. ~~282.0051(2), (3), and (7)~~ or adopt alternative standards
599 based on best practices and industry standards that allow for
600 open data interoperability.

601 (2) If the Department of Legal Affairs, the Department of
602 Financial Services, or the Department of Agriculture and
603 Consumer Services adopts alternative standards in lieu of the
604 enterprise architecture standards in s. 282.0051, each
605 department must notify the Governor, the President of the
606 Senate, and the Speaker of the House of Representatives in
607 writing of the adoption of the alternative standards. The
608 notification must be submitted annually and must include the
609 following:

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

612 (b) An estimated cost and time difference between adopting
613 alternative standards and adhering to the enterprise
614 architecture standards.

615 (c) A detailed security risk assessment of adopting the
616 alternative standards versus adhering to the enterprise
617 architecture standards.

618 (d) Certification by the agency head or his or her
619 designee that the agency's strategic and operational information
620 technology security plans as required by s. 282.318(4) include
621 provisions related to interoperability.

622 (3) The Department of Legal Affairs, the Department of
623 Financial Services, or the Department of Agriculture and
624 Consumer Services, ~~and~~ may contract with the department to
625 provide or perform any of the services and functions described

626 | in s. 282.0051 ~~for the Department of Legal Affairs, the~~
 627 | ~~Department of Financial Services, or the Department of~~
 628 | ~~Agriculture and Consumer Services.~~

629 | (4) (a) Nothing in this section or in s. 282.0051 requires
 630 | the Department of Legal Affairs, the Department of Financial
 631 | Services, or the Department of Agriculture and Consumer Services
 632 | to integrate with information technology outside its own
 633 | department or with the Florida Digital Service.

634 | (b) The Florida Digital Service may not retrieve or
 635 | disclose data without a data-sharing agreement in place between
 636 | the Florida Digital Service and the Department of Legal Affairs,
 637 | the Department of Financial Services, or the Department of
 638 | Agriculture and Consumer Services.

639 | Section 6. Paragraph (a) of subsection (3) of section
 640 | 282.318, Florida Statutes, is amended to read:

641 | 282.318 Security of data and information technology.—

642 | (3) The department is responsible for establishing
 643 | standards and processes consistent with generally accepted best
 644 | practices for information technology security, to include
 645 | cybersecurity, and adopting rules that safeguard an agency's
 646 | data, information, and information technology resources to
 647 | ensure availability, confidentiality, and integrity and to
 648 | mitigate risks. The department shall also:

649 | (a) Designate a state chief information security officer
 650 | who shall report to the state chief information officer. The

651 state chief information security officer must have experience
652 and expertise in security and risk management for communications
653 and information technology resources.

654 Section 7. Subsection (4) of section 287.0591, Florida
655 Statutes, is amended to read:

656 287.0591 Information technology.—

657 (4) If the department issues a competitive solicitation
658 for information technology commodities, consultant services, or
659 staff augmentation contractual services, the Florida Digital
660 Service ~~Division of State Technology~~ within the department shall
661 participate in such solicitations.

662 Section 8. Paragraph (a) of subsection (3) of section
663 365.171, Florida Statutes, is amended to read:

664 365.171 Emergency communications number E911 state plan.—

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

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

669 Section 9. Paragraph (s) of subsection (3) of section
670 365.172, Florida Statutes, is amended to read:

671 365.172 Emergency communications number "E911."—

672 (3) DEFINITIONS.—Only as used in this section and ss.
673 365.171, 365.173, 365.174, and 365.177, the term:

674 (s) "Office" means the Division of Telecommunications
675 ~~State Technology~~ within the Department of Management Services,

676 as designated by the secretary of the department.

677 Section 10. Paragraph (a) of subsection (1) of section
678 365.173, Florida Statutes, is amended to read:

679 365.173 Communications Number E911 System Fund.—

680 (1) REVENUES.—

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

688 Section 11. Subsection (5) of section 943.0415, Florida
689 Statutes, is amended to read:

690 943.0415 Cybercrime Office.—There is created within the
691 Department of Law Enforcement the Cybercrime Office. The office
692 may:

693 (5) Consult with the Florida Digital Service ~~Division of~~
694 ~~State Technology~~ within the Department of Management Services in
695 the adoption of rules relating to the information technology
696 security provisions in s. 282.318.

697 Section 12. If HB 821 or similar legislation becomes law,
698 the Division of Law Revision is directed to replace the term
699 "Division of State Technology" wherever it occurs in s. 282.318,
700 Florida Statutes, with the term "Florida Digital Service."

701 Section 13. Effective January 1, 2021, section 559.952,
702 Florida Statutes, is created to read:

703 559.952 Financial Technology Sandbox.-

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

706 (2) CREATION OF THE FINANCIAL TECHNOLOGY SANDBOX.-There is
707 created the Financial Technology Sandbox within the Office of
708 Financial Regulation to allow financial technology innovators to
709 test new products and services in a supervised, flexible
710 regulatory sandbox using exceptions to specified general law and
711 waivers of the corresponding rule requirements under defined
712 conditions. The creation of a supervised, flexible regulatory
713 sandbox provides a welcoming business environment for technology
714 innovators and may lead to significant business growth.

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

716 (a) "Business entity" means a domestic corporation or
717 other organized domestic entity with a physical presence, other
718 than that of a registered office or agent or virtual mailbox, in
719 the state.

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

721 (c) "Consumer" means a person in the state, whether a
722 natural person or a business organization, who purchases, uses,
723 receives, or enters into an agreement to purchase, use, or
724 receive an innovative financial product or service made
725 available through the Financial Technology Sandbox.

726 (d) "Control person" means an individual, a partnership, a
727 corporation, a trust, or other organization that possesses the
728 power, directly or indirectly, to direct the management or
729 policies of a company, whether through ownership of securities,
730 by contract, or through other means. A person is presumed to
731 control a company if, with respect to a particular company, that
732 person:

733 1. Is a director, a general partner, or an officer
734 exercising executive responsibility or having similar status or
735 functions;

736 2. Directly or indirectly may vote 10 percent or more of a
737 class of a voting security or sell or direct the sale of 10
738 percent or more of a class of voting securities; or

739 3. In the case of a partnership, may receive upon
740 dissolution or has contributed 10 percent or more of the
741 capital.

742 (e) "Corresponding rule requirements" mean the commission
743 rules, or portions thereof, which implement the general laws
744 enumerated in paragraph (4) (a).

745 (f) "Financial product or service" means a product or
746 service related to a consumer finance loan, as defined in s.
747 516.01, or a money transmitter or payment instrument seller, as
748 those terms are defined in s. 560.103, including mediums of
749 exchange that are in electronic or digital form, which is
750 subject to the general laws enumerated in paragraph (4) (a) and

751 corresponding rule requirements and which is under the
752 jurisdiction of the office.

753 (g) "Financial Technology Sandbox" means the program
754 created by this section which allows a licensee to make an
755 innovative financial product or service available to consumers
756 during a sandbox period through exceptions to general laws and
757 waivers of corresponding rule requirements.

758 (h) "Innovative" means new or emerging technology or new
759 uses of existing technology which provide a product, service,
760 business model, or delivery mechanism to the public and which
761 are not known to have a comparable offering in the state outside
762 the Financial Technology Sandbox.

763 (i) "Licensee" means a business entity that has been
764 approved by the office to participate in the Financial
765 Technology Sandbox.

766 (j) "Office" means, unless the context clearly indicates
767 otherwise, the Office of Financial Regulation.

768 (k) "Sandbox period" means:

769 1. The initial 24-month period in which the office has
770 authorized a licensee to make an innovative financial product or
771 service available to consumers.

772 2. Any extension granted pursuant to subsection (7).

773 (4) EXCEPTIONS TO GENERAL LAW AND WAIVERS OF RULE
774 REQUIREMENTS.—

775 (a) Notwithstanding any other law, upon approval of a

776 Financial Technology Sandbox application, the following
777 provisions and corresponding rule requirements are not
778 applicable to the licensee during the sandbox period:

779 1. Section 516.03(1), except for the application fee, the
780 investigation fee, the requirement to provide the social
781 security numbers of control persons, evidence of liquid assets
782 of at least \$25,000, and the office's authority to investigate
783 the applicant's background. The office may prorate the license
784 renewal fee for an extension granted under subsection (7).

785 2. Section 516.05(1) and (2), except that the office must
786 investigate the applicant's background.

787 3. Section 560.109, only to the extent that section
788 requires the office to examine a licensee at least once every 5
789 years.

790 4. Section 560.118(2).

791 5. Section 560.125(1), only to the extent that subsection
792 would prohibit a licensee from engaging in the business of a
793 money transmitter or payment instrument seller during the
794 sandbox period.

795 6. Section 560.125(2), only to the extent that subsection
796 would prohibit a licensee from appointing an authorized vendor
797 during the sandbox period. Any authorized vendor of such a
798 licensee during the sandbox period remains liable to the holder
799 or remitter.

800 7. Section 560.128.

801 8. Section 560.141, excluding s. 560.141(1)(a)1., 3., and
802 7.-10. and (1)(b), (c), and (d).

803 9. Section 560.142(1) and (2), except that the office may
804 prorate, but may not entirely eliminate, the license renewal
805 fees in s. 560.143 for an extension granted under subsection
806 (7).

807 10. Section 560.143(2), only to the extent necessary for
808 proration of the renewal fee under subparagraph 9.

809 11. Section 560.204(1), only to the extent that subsection
810 would prohibit a licensee from engaging in, or advertising that
811 it engages in, the selling or issuing of payment instruments or
812 in the activity of a money transmitter during the sandbox
813 period.

814 12. Section 560.205(2).

815 13. Section 560.208(2).

816 14. Section 560.209, only to the extent that the office
817 may modify, but may not entirely eliminate, the net worth,
818 corporate surety bond, and collateral deposit amounts required
819 under that section. The modified amounts must be in such lower
820 amounts that the office determines to be commensurate with the
821 factors under paragraph (5)(c) and the maximum number of
822 consumers authorized to receive the financial product or service
823 under this section.

824 (b) The office may approve a Financial Technology Sandbox
825 application if one or more of the general laws enumerated in

826 paragraph (a) currently prevent the innovative financial product
827 or service from being made available to consumers and if all
828 other requirements of this section are met.

829 (c) A licensee may conduct business through electronic
830 means, including through the Internet or a software application.

831 (5) FINANCIAL TECHNOLOGY SANDBOX APPLICATION; STANDARDS
832 FOR APPROVAL.—

833 (a) Before filing an application for licensure under this
834 section, a substantially affected person may seek a declaratory
835 statement pursuant to s. 120.565 regarding the applicability of
836 a statute, a rule, or an agency order to the petitioner's
837 particular set of circumstances or a variance or waiver of a
838 rule pursuant to s. 120.542.

839 (b) Before making an innovative financial product or
840 service available to consumers in the Financial Technology
841 Sandbox, a business entity must file with the office an
842 application for licensure under the Financial Technology
843 Sandbox. The commission shall, by rule, prescribe the form and
844 manner of the application and the standards for the office to
845 evaluate and apply each factor specified in paragraph (c).

846 1. The application must specify each provision of general
847 law enumerated in paragraph (4)(a) which currently prevents the
848 innovative financial product or service from being made
849 available to consumers and the reasons why such provisions of
850 general law prevent the innovative financial product or service

851 from being made available to consumers.

852 2. The application must contain sufficient information for
853 the office to evaluate the factors specified in paragraph (c).

854 3. An application submitted on behalf of a business entity
855 must include evidence that the business entity has authorized
856 the person to submit the application on behalf of the business
857 entity intending to make an innovative financial product or
858 service available to consumers.

859 4. The application must specify the maximum number of
860 consumers, which may not exceed the number of consumers
861 specified in paragraph (f), to whom the applicant proposes to
862 provide the innovative financial product or service.

863 5. The application must include a proposed draft of the
864 statement meeting the requirements of paragraph (6) (b) which the
865 applicant proposes to provide to consumers.

866 (c) The office shall approve or deny in writing a
867 Financial Technology Sandbox application within 60 days after
868 receiving the completed application. The office and the
869 applicant may jointly agree to extend the time beyond 60 days.
870 Consistent with this section, the office may impose conditions
871 on any approval. In deciding whether to approve or deny an
872 application for licensure, the office must consider each of the
873 following:

874 1. The nature of the innovative financial product or
875 service proposed to be made available to consumers in the

876 Financial Technology Sandbox, including all relevant technical
877 details.

878 2. The potential risk to consumers and the methods that
879 will be used to protect consumers and resolve complaints during
880 the sandbox period.

881 3. The business plan proposed by the applicant, including
882 company information, market analysis, and financial projections
883 or pro forma financial statements, and evidence of the financial
884 viability of the applicant.

885 4. Whether the applicant has the necessary personnel,
886 adequate financial and technical expertise, and a sufficient
887 plan to test, monitor, and assess the innovative financial
888 product or service.

889 5. Whether any control person of the applicant, regardless
890 of adjudication, has pled no contest to, has been convicted or
891 found guilty of, or is currently under investigation for, fraud,
892 a state or federal securities violation, a property-based
893 offense, or a crime involving moral turpitude or dishonest
894 dealing, in which case the application to the Financial
895 Technology Sandbox must be denied.

896 6. A copy of the disclosures that will be provided to
897 consumers under paragraph (6) (b).

898 7. The financial responsibility of the applicant and any
899 control person, including whether the applicant or any control
900 person has a history of unpaid liens, unpaid judgments, or other

901 general history of nonpayment of legal debts, including, but not
902 limited to, having been the subject of a petition for bankruptcy
903 under the United States Bankruptcy Code within the past 7
904 calendar years.

905 8. Any other factor that the office determines to be
906 relevant.

907 (d) The office may not approve an application if:

908 1. The applicant had a prior Financial Technology Sandbox
909 application that was approved and that related to a
910 substantially similar financial product or service;

911 2. Any control person of the applicant was substantially
912 involved in the development, operation, or management with
913 another Financial Technology Sandbox applicant whose application
914 was approved and whose application related to a substantially
915 similar financial product or service; or

916 3. The applicant or any control person has failed to
917 affirmatively demonstrate financial responsibility.

918 (e) Upon approval of an application, the office shall
919 notify the licensee that the licensee is exempt from the
920 provisions of general law enumerated in paragraph (4)(a) and the
921 corresponding rule requirements during the sandbox period. The
922 office shall post on its website notice of the approval of the
923 application, a summary of the innovative financial product or
924 service, and the contact information of the licensee.

925 (f) The office, on a case-by-case basis, must specify the

926 maximum number of consumers authorized to receive an innovative
927 financial product or service, after consultation with the
928 Financial Technology Sandbox applicant. The office may not
929 authorize more than 15,000 consumers to receive the financial
930 product or service until the licensee has filed the first report
931 required under subsection (8). After the filing of that report,
932 if the licensee demonstrates adequate financial capitalization,
933 risk management processes, and management oversight, the office
934 may authorize up to 25,000 consumers to receive the financial
935 product or service.

936 (g) A licensee has a continuing obligation to promptly
937 inform the office of any material change to the information
938 provided under paragraph (b).

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

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

943 (b)1. Before a consumer purchases, uses, receives, or
944 enters into an agreement to purchase, use, or receive an
945 innovative financial product or service through the Financial
946 Technology Sandbox, the licensee must provide a written
947 statement of all of the following to the consumer:

948 a. The name and contact information of the licensee.

949 b. That the financial product or service has been
950 authorized to be made available to consumers for a temporary

951 period by the office, under the laws of the state.

952 c. That the state does not endorse the financial product
953 or service.

954 d. That the financial product or service is undergoing
955 testing, may not function as intended, and may entail financial
956 risk.

957 e. That the licensee is not immune from civil liability
958 for any losses or damages caused by the financial product or
959 service.

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

961 g. The contact information for the office and notification
962 that suspected legal violations, complaints, or other comments
963 related to the financial product or service may be submitted to
964 the office.

965 h. Any other information or disclosures required by rule
966 of the commission which are necessary to further the purposes of
967 this section.

968 2. The written statement under subparagraph 1. must
969 contain an acknowledgment from the consumer, which must be
970 retained for the duration of the sandbox period by the licensee.

971 (c) The office may enter into an agreement with a state,
972 federal, or foreign regulatory agency to allow licensees under
973 the Financial Technology Sandbox to make their products or
974 services available in other jurisdictions. The commission shall
975 adopt rules to implement this paragraph.

976 (d) The office may examine the records of a licensee at
 977 any time, with or without prior notice.

978 (7) EXTENSION AND CONCLUSION OF SANDBOX PERIOD.—

979 (a) A licensee may apply for one extension of the initial
 980 24-month sandbox period for 12 additional months for a purpose
 981 specified in subparagraph (b)1. or subparagraph (b)2. A complete
 982 application for an extension must be filed with the office at
 983 least 90 days before the conclusion of the initial sandbox
 984 period. The office shall approve or deny the application for
 985 extension in writing at least 35 days before the conclusion of
 986 the initial sandbox period. In deciding to approve or deny an
 987 application for extension of the sandbox period, the office
 988 must, at a minimum, consider the current status of the factors
 989 previously considered under paragraph (5) (c).

990 (b) An application for an extension under paragraph (a)
 991 must cite one of the following reasons as the basis for the
 992 application and must provide all relevant supporting information
 993 that:

994 1. Amendments to general law or rules are necessary to
 995 offer the innovative financial product or service in the state
 996 permanently.

997 2. An application for a license that is required in order
 998 to offer the innovative financial product or service in the
 999 state permanently has been filed with the office, and approval
 1000 is pending.

1001 (c) At least 30 days before the conclusion of the initial
1002 24-month sandbox period or the extension, whichever is later, a
1003 licensee shall provide written notification to consumers
1004 regarding the conclusion of the initial sandbox period or the
1005 extension and may not make the financial product or service
1006 available to any new consumers after the conclusion of the
1007 initial sandbox period or the extension, whichever is later,
1008 until legal authority outside of the Financial Technology
1009 Sandbox exists for the licensee to make the financial product or
1010 service available to consumers. After the conclusion of the
1011 sandbox period or the extension, whichever is later, the
1012 business entity formerly licensed under the Financial Technology
1013 Sandbox may:

1014 1. Collect and receive money owed to the business entity
1015 or pay money owed by the business entity, based on agreements
1016 with consumers made before the conclusion of the sandbox period
1017 or the extension.

1018 2. Take necessary legal action.

1019 3. Take other actions authorized by commission rule which
1020 are not inconsistent with this section.

1021 (8) REPORT.—A licensee shall submit a report to the office
1022 twice a year as prescribed by commission rule. The report must,
1023 at a minimum, include financial reports and the number of
1024 consumers who have received the financial product or service.

1025 (9) CONSTRUCTION.—A business entity whose Financial

1026 Technology Sandbox application is approved under this section:

1027 (a) Is licensed under chapter 516, chapter 560, or both
1028 chapters 516 and 560, as applicable to the business entity's
1029 activities.

1030 (b) Is subject to any provision of chapter 516 or chapter
1031 560 not specifically excepted under paragraph (4) (a), as
1032 applicable to the business entity's activities, and must comply
1033 with such provisions.

1034 (c) May not engage in activities authorized under part III
1035 of chapter 560, notwithstanding s. 560.204(2).

1036 (10) VIOLATIONS AND PENALTIES.-

1037 (a) A licensee who makes an innovative financial product
1038 or service available to consumers in the Financial Technology
1039 Sandbox remains subject to:

1040 1. Civil damages for acts and omissions arising from or
1041 related to any innovative financial product or services provided
1042 or made available by the licensee or relating to this section.

1043 2. All criminal and consumer protection laws and any other
1044 statute not specifically excepted under paragraph (4) (a).

1045 (b)1. The office may, by order, revoke or suspend a
1046 licensee's approval to participate in the Financial Technology
1047 Sandbox if:

1048 a. The licensee has violated or refused to comply with
1049 this section, any statute not specifically excepted under
1050 paragraph (4) (a), a rule of the commission that has not been

1051 waived, an order of the office, or a condition placed by the
1052 office on the approval of the licensee's Financial Technology
1053 Sandbox application;

1054 b. A fact or condition exists that, if it had existed or
1055 become known at the time that the Financial Technology Sandbox
1056 application was pending, would have warranted denial of the
1057 application or the imposition of material conditions;

1058 c. A material error, false statement, misrepresentation,
1059 or material omission was made in the Financial Technology
1060 Sandbox application; or

1061 d. After consultation with the licensee, the office
1062 determines that continued testing of the innovative financial
1063 product or service would:

1064 (I) Be likely to harm consumers; or

1065 (II) No longer serve the purposes of this section because
1066 of the financial or operational failure of the financial product
1067 or service.

1068 2. Written notice of a revocation or suspension order made
1069 under subparagraph 1. must be served using any means authorized
1070 by law. If the notice relates to a suspension, the notice must
1071 include any condition or remedial action that the licensee must
1072 complete before the office lifts the suspension.

1073 (c) The office may refer any suspected violation of law to
1074 an appropriate state or federal agency for investigation,
1075 prosecution, civil penalties, and other appropriate enforcement

1076 action.

1077 (d) If service of process on a licensee is not feasible,

1078 service on the office is deemed service on the licensee.

1079 (11) RULES AND ORDERS.—

1080 (a) The commission must adopt rules to administer this

1081 section before approving any application under this section.

1082 (b) The office may issue all necessary orders to enforce

1083 this section and may enforce these orders in accordance with

1084 chapter 120 or in any court of competent jurisdiction. These

1085 orders include, but are not limited to, orders for payment of

1086 restitution for harm suffered by consumers as a result of an

1087 innovative financial product or service.

1088 Section 14. For the 2020-2021 fiscal year, the sum of

1089 \$50,000 in nonrecurring funds is appropriated from the

1090 Administrative Trust Fund to the Office of Financial Regulation

1091 for the purposes of implementing s. 559.952, Florida Statutes,

1092 as created by this act.

1093 Section 15. The creation of s. 559.952, Florida Statutes,

1094 and the appropriation to implement s. 559.952, Florida Statutes,

1095 by this act shall take effect only if CS/CS/HB 1393 or similar

1096 legislation takes effect and if such legislation is adopted in

1097 the same legislative session or an extension thereof and becomes

1098 a law.

1099 Section 16. Except as otherwise expressly provided in this

1100 act, this act shall take effect July 1, 2020.