

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Information Technology
2 Budget & Policy Subcommittee
3 Representative Miller offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

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

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

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

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16 **Section 2. Subsections (24) through (38) of section**
17 **282.0041, Florida Statutes, are renumbered as subsections (25)**
18 **through (39), respectively, subsections (28) and (30) are**
19 **amended, and a new subsection (24) is added to that section to**
20 **read:**

21 282.0041 Definitions.—As used in this chapter, the term:
22 (24) "Major information technology system" means an
23 information technology system with a total cost of ownership of
24 \$10 million or more, which directly serves or impacts end users
25 in the delivery of constituent-facing services or which supports
26 mission-critical operations essential to a state agency's
27 statutory duties or core business functions.

28 ~~(28)-(27)~~ "Project oversight" means an independent review
29 and assessment ~~analysis~~ of an information technology project
30 that provides information on the project's scope, completion
31 timeframes, performance measurement, and budget and that
32 identifies and quantifies issues or risks affecting the
33 successful and timely completion of the project.

34 ~~(30)-(29)~~ "Risk assessment" means the process of
35 identifying operational risks and security risks, determining
36 their magnitude, and identifying areas needing safeguards.

37 **Section 3. Section 282.0051, Florida Statutes, is amended**
38 **to read:**

39 282.0051 Department of Management Services; Florida
40 Digital Service; powers, duties, and functions.—

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41 (1) The Florida Digital Service is ~~has been~~ created within the
42 department to propose innovative solutions that securely
43 modernize state government, including technology and information
44 services, to achieve value through digital transformation and
45 interoperability, and to fully support the cloud-first policy as
46 specified in s. 282.206. The ~~department, through the~~ Florida
47 Digital Service, shall ~~have the following powers, duties, and~~
48 ~~functions:~~

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

51 (b) Develop an enterprise architecture that:

52 1. Acknowledges the unique needs of the entities within
53 the enterprise in the development and publication of standards
54 and terminologies to facilitate digital interoperability;

55 2. Supports the cloud-first policy as specified in s.
56 282.206; and

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

59 (c) Establish project management and oversight standards
60 with which state agencies must comply when implementing
61 information technology projects. The ~~department, acting through~~
62 ~~the~~ Florida Digital Service, shall update the ~~provide training~~
63 ~~opportunities to state agencies to assist in the adoption of the~~
64 ~~project management and oversight standards~~ by July 1, 2027, and
65 at least once every 2 years thereafter, incorporating best

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66 practices from the public and private sectors, as well as any
67 lessons learned by state agencies. When updating the standards,
68 the Florida Digital Service shall solicit input from all state
69 agencies. To support data-driven decisionmaking, the standards
70 must include, but are not limited to:

71 1. Performance measurements and metrics that objectively
72 assess ~~reflect~~ the progress and risks ~~status~~ of an information
73 technology project through performance baselines and monitoring
74 mechanisms to determine whether the project is performing as
75 planned and delivering the intended outcomes ~~based on a defined~~
76 ~~and documented project scope, cost, and schedule.~~

77 2. Methodologies for calculating acceptable variances
78 between the planned and ~~in the projected versus~~ actual scope of
79 a technology project which provide clear thresholds to guide
80 corrective actions. Such methodologies must account for project
81 complexity and scale, schedule, performance, quality, and the ~~or~~
82 cost of an information technology project.

83 3. Reporting requirements, including requirements designed
84 to alert all defined stakeholders and the chairs of the
85 legislative appropriations committees when ~~that~~ an information
86 technology project has exceeded acceptable variances and
87 specifying procedures for escalating critical issues to
88 appropriate individuals ~~defined and documented in a project~~
89 ~~plan.~~

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

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91 5. Technical standards to ensure an information technology
92 project complies with the enterprise architecture, including
93 interoperability, security, scalability, and data management
94 requirements.

95 6. Mechanisms for engaging stakeholders throughout a
96 project's life cycle.

97 (d) Provide training opportunities to state agencies
98 regarding the information technology project management and
99 oversight standards.

100 (e) ~~(d)~~ Perform project oversight on all state agency
101 information technology projects that have total project costs of
102 \$10 million or more and that are funded in the General
103 Appropriations Act or any other law. The ~~department, acting~~
104 ~~through the~~ Florida Digital Service, shall report at least
105 quarterly to the ~~Executive Office of the~~ Governor, the President
106 of the Senate, and the Speaker of the House of Representatives
107 on any information technology project that the Florida Digital
108 Service ~~department~~ identifies as high-risk due to the project
109 exceeding the acceptable project variance thresholds provided in
110 the project management and oversight standards ~~ranges defined~~
111 ~~and documented in a project plan.~~ The report must include:

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

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114 2. Recommendations, and a recommendation for corrective
115 actions required, including suspension or termination of the
116 project.

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

120 (f)-(e) Identify opportunities for standardization and
121 consolidation of information technology services that support
122 interoperability and the cloud-first policy, as specified in s.
123 282.206, and business functions and operations, including
124 administrative functions such as purchasing, accounting and
125 reporting, cash management, and personnel, and that are common
126 across state agencies. The ~~department, acting through the~~
127 Florida Digital Service~~7~~, shall biennially on January 15 ~~±~~ of
128 each odd-numbered ~~even-numbered~~ year provide recommendations for
129 standardization and consolidation to the ~~Executive Office of the~~
130 Governor, the President of the Senate, and the Speaker of the
131 House of Representatives.

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

136 (h)-(g) Develop standards for information technology
137 reports and updates, including, but not limited to, operational

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138 work plans, project spend plans, and project status reports, for
139 use by state agencies.

140 ~~(i)-(h)~~ Upon request, assist state agencies in the
141 development of information technology-related legislative budget
142 requests.

143 ~~(j)-(i)~~ Conduct annual assessments of state agencies to
144 determine compliance with all information technology standards
145 and guidelines developed and published by the department and
146 provide results of the assessments to ~~the Executive Office of~~
147 the Governor, the President of the Senate, and the Speaker of
148 the House of Representatives.

149 ~~(j)~~ ~~Conduct a market analysis not less frequently than~~
150 ~~every 3 years beginning in 2021 to determine whether the~~
151 ~~information technology resources within the enterprise are~~
152 ~~utilized in the most cost effective and cost efficient manner,~~
153 ~~while recognizing that the replacement of certain legacy~~
154 ~~information technology systems within the enterprise may be cost~~
155 ~~prohibitive or cost inefficient due to the remaining useful life~~
156 ~~of those resources; whether the enterprise is complying with the~~
157 ~~cloud first policy specified in s. 282.206; and whether the~~
158 ~~enterprise is utilizing best practices with respect to~~
159 ~~information technology, information services, and the~~
160 ~~acquisition of emerging technologies and information services.~~
161 ~~Each market analysis shall be used to prepare a strategic plan~~
162 ~~for continued and future information technology and information~~

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163 ~~services for the enterprise, including, but not limited to,~~
164 ~~proposed acquisition of new services or technologies and~~
165 ~~approaches to the implementation of any new services or~~
166 ~~technologies. Copies of each market analysis and accompanying~~
167 ~~strategic plan must be submitted to the Executive Office of the~~
168 ~~Governor, the President of the Senate, and the Speaker of the~~
169 ~~House of Representatives not later than December 31 of each year~~
170 ~~that a market analysis is conducted.~~

171 (k) Recommend ~~other~~ information technology services that
172 should be designed, delivered, and managed as enterprise
173 information technology services. Recommendations must include
174 the identification of existing information technology resources
175 associated with the services, if existing services must be
176 transferred as a result of being delivered and managed as
177 enterprise information technology services. The recommendations
178 must be submitted to the Governor, the President of the Senate,
179 and the Speaker of the House of Representatives no later than
180 January 15 of each odd-numbered year.

181 (l) In consultation with state agencies, propose a
182 methodology and approach for identifying and collecting both
183 current and planned information technology expenditure data at
184 the state agency level.

185 (m)1. Notwithstanding any other law, provide project
186 oversight on any information technology project of the
187 Department of Financial Services, the Department of Legal

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188 Affairs, and the Department of Agriculture and Consumer Services
189 which has a total project cost of \$20 million or more. Such
190 information technology projects must also comply with the
191 applicable information technology architecture, project
192 management and oversight, and reporting standards established by
193 the ~~department, acting through the~~ Florida Digital Service.

194 2. When performing the project oversight function
195 specified in subparagraph 1., report at least quarterly to the
196 ~~Executive Office of the~~ Governor, the President of the Senate,
197 and the Speaker of the House of Representatives on any
198 information technology project that the ~~department, acting~~
199 ~~through the~~ Florida Digital Service, identifies as high-risk due
200 to the project exceeding the established acceptable project
201 variance thresholds ~~ranges defined and documented in the project~~
202 ~~plan~~. The report shall include a risk assessment, including
203 fiscal risks, associated with proceeding to the next stage of
204 the project and a recommendation for corrective actions
205 required, including suspension or termination of the project.

206 ~~(n) If an information technology project implemented by a~~
207 ~~state agency must be connected to or otherwise accommodated by~~
208 ~~an information technology system administered by the Department~~
209 ~~of Financial Services, the Department of Legal Affairs, or the~~
210 ~~Department of Agriculture and Consumer Services, consult with~~
211 ~~these departments regarding the risks and other effects of such~~
212 ~~projects on their information technology systems and work~~

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213 ~~cooperatively with these departments regarding the connections,~~
214 ~~interfaces, timing, or accommodations required to implement such~~
215 ~~projects.~~

216 ~~(n)(e)~~ If adherence to standards or policies adopted by or
217 established pursuant to this section causes conflict with
218 federal regulations or requirements imposed on an entity within
219 the enterprise and results in adverse action against an entity
220 or federal funding, work with the entity to provide alternative
221 standards, policies, or requirements that do not conflict with
222 the federal regulation or requirement. The ~~department, acting~~
223 ~~through the~~ Florida Digital Service, shall ~~annually~~ report each
224 January 15 such alternative standards to the ~~Executive Office of~~
225 ~~the~~ Governor, the President of the Senate, and the Speaker of
226 the House of Representatives.

227 ~~(o)(p)~~1. Establish an information technology policy for
228 all information technology-related state contracts, including
229 state term contracts for information technology commodities,
230 consultant services, and staff augmentation services. The
231 information technology policy must include:

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

234 b. Requirements to be included in solicitations for ~~state~~
235 ~~term~~ contracts.

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

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238 d. The term of each information technology-related state
239 term contract.

240 e. The maximum number of vendors authorized on each state
241 term contract.

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

245 g. For an information technology project wherein project
246 oversight is required pursuant to paragraph (e) ~~(d)~~ or paragraph
247 (m), a requirement that independent verification and validation
248 be employed throughout the project life cycle with the primary
249 objective of independent verification and validation being to
250 provide an objective assessment of products and processes
251 throughout the project life cycle. An entity providing
252 independent verification and validation may not have technical,
253 managerial, or financial interest in the project and may not
254 have responsibility for, or participate in, any other aspect of
255 the project.

256 2. Evaluate vendor responses for information technology-
257 related state term contract solicitations and invitations to
258 negotiate.

259 3. Answer vendor questions on information technology-
260 related state term contract solicitations.

261 4. Ensure that the information technology policy
262 established pursuant to subparagraph 1. is included in all

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263 solicitations and contracts that are ~~administratively~~ executed
264 by the department.

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

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

270 (r)~~(s)~~ Ensure that enterprise information technology
271 solutions are capable of utilizing an electronic credential and
272 comply with the enterprise architecture standards.

273 (s) Review all state agency information technology
274 legislative budget requests to identify compliance issues
275 related to the enterprise architecture, project planning
276 standards, data interoperability, and cybersecurity.

277 (t) Identify efficiency opportunities in the use of
278 information technology resources.

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

283 (v) Develop, maintain, and publish, in collaboration with
284 the enterprise, a data dictionary for each agency that reflects
285 the nomenclature in the comprehensive indexed data catalog.

286 (w) Each December 1, compile an enterprise report of major
287 information technology systems approaching end-of-life within 5

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288 fiscal years after such December 1, and submit the report to the
289 Governor, the President of the Senate, and the Speaker of the
290 House of Representatives. For purposes of this paragraph, "end-
291 of-life" means the point at which an information technology
292 resource no longer receives vendor support, uses obsolete
293 technology, cannot be adequately maintained, or fails to meet
294 enterprise architecture standards. The report must:

295 1. Describe each major information technology system,
296 including its primary functions, user base, and interconnections
297 or dependencies with other systems.

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

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

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

305 (2) (a) The Secretary of Management Services shall
306 designate a state chief information officer, who shall
307 administer the Florida Digital Service. The state chief
308 information officer, prior to appointment, must have at least 5
309 years of experience in the development of information system
310 strategic planning and development or information technology
311 policy, and, preferably, have leadership-level experience in the

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312 design, development, and deployment of interoperable software
313 and data solutions.

314 (b) The state chief information officer, in consultation
315 with the Secretary of Management Services, shall designate a
316 state chief data officer. The chief data officer must be a
317 proven and effective administrator who must have significant and
318 substantive experience in data management, data governance,
319 interoperability, and security.

320 (3) ~~The department, acting through the Florida Digital~~
321 ~~Service and from funds appropriated to the Florida Digital~~
322 ~~Service,~~ shall:

323 ~~(a) Create, not later than December 1, 2022,~~ and maintain
324 a comprehensive indexed data catalog in collaboration with the
325 enterprise that lists the data elements housed within the
326 enterprise and the legacy system or application in which these
327 data elements are located. The data catalog must, at a minimum,
328 specifically identify all data that is restricted from public
329 disclosure based on federal or state laws and regulations and
330 require that all such information be protected in accordance
331 with s. 282.318.

332 (4) The Florida Digital Service shall procure, execute,
333 and manage all independent verification and validation contracts
334 for state agencies entered into or amended on or after July 1,
335 2026.

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

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

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

346 ~~(e) Adopt, by rule, standards that facilitate the~~
347 ~~deployment of applications or solutions to the existing~~
348 ~~enterprise system in a controlled and phased approach.~~

349 ~~(f) After submission of documented use cases developed in~~
350 ~~conjunction with the affected agencies, assist the affected~~
351 ~~agencies with the deployment, contingent upon a specific~~
352 ~~appropriation therefor, of new interoperable applications and~~
353 ~~solutions:~~

354 ~~1. For the Department of Health, the Agency for Health~~
355 ~~Care Administration, the Agency for Persons with Disabilities,~~
356 ~~the Department of Education, the Department of Elderly Affairs,~~
357 ~~and the Department of Children and Families.~~

358 ~~2. To support military members, veterans, and their~~
359 ~~families.~~

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360 (5)-(4) For information technology projects that have a
361 total project cost of \$10 million or more, the Florida Digital
362 Service shall:

363 (a) No later than January 1, 2027, establish a
364 presolicitation planning framework that includes standards,
365 procedures, forms, and guidance that state agencies must follow
366 before issuing a competitive solicitation ~~provide the Florida~~
367 ~~Digital Service with written notice of any planned procurement~~
368 ~~of an information technology project.~~

369 (b) ~~The Florida Digital Service must~~ Participate in the
370 development of specifications and recommend modifications to any
371 planned procurement of an information technology project by
372 state agencies so that the procurement complies with the
373 enterprise architecture and the presolicitation planning
374 framework.

375 (c) Certify that a state agency has complied with the
376 presolicitation planning framework and is ready to initiate the
377 planned procurement. The Florida Digital Service shall withhold
378 certification for any procurement that does not comply with the
379 established presolicitation planning framework.

380 (d) ~~(c)~~ ~~The Florida Digital Service must~~ Participate in
381 post-award contract monitoring, including risk oversight and
382 monitoring for issues or situations that should be elevated to
383 ensure timely resolution of the issue or situation.

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384 (6)-(5) The ~~department, acting through the~~ Florida Digital
385 Service, may not retrieve or disclose any data without a shared-
386 data agreement in place between the Florida Digital Service
387 ~~department~~ and the enterprise entity that has primary custodial
388 responsibility of, or data-sharing responsibility for, that
389 data. The Florida Digital Service shall report to the Governor,
390 the President of the Senate, and the Speaker of the House of
391 Representatives each January 15 any failure to reach a shared-
392 data agreement with a state agency that prevents the Florida
393 Digital Service from fulfilling its duties and responsibilities.

394 (7)-(6) The ~~department, acting through the~~ Florida Digital
395 Service, shall adopt rules:

396 (a) To administer this section and s. 282.00513.

397 (b) To support the creation and deployment of an
398 application programming interface to facilitate integration
399 throughout the enterprise.

400 (c) Necessary to facilitate a secure ecosystem of data
401 interoperability which is compliant with the enterprise
402 architecture.

403 (d) To facilitate the deployment of applications or
404 solutions to the existing enterprise system in a controlled and
405 phased approach.

406 **Section 4. Section 282.00513, Florida Statutes, is created**
407 **to read:**

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408 282.00513 Bureau of Enterprise Project Management and
409 Oversight; duties.—

410 (1) There is created a Bureau of Enterprise Project
411 Management and Oversight within the Florida Digital Service,
412 which shall:

413 (a) Oversee the procurement of information technology
414 commodities and services by state agencies related to
415 information technology projects.

416 (b) Oversee the performance of vendors under information
417 technology contracts for commodities or services entered into by
418 state agencies related to information technology projects.

419 (c) Develop a framework that provides processes,
420 activities, and deliverables state agencies must comply with
421 when planning an information technology project. The processes,
422 activities, and deliverables must include, but are not limited
423 to:

424 1. Business case development. The business case
425 development must include the information required by s.
426 287.0571(4), the expected business outcomes, full life cycle
427 cost estimates, governance structure, system interoperability
428 goals, data management plans, scalability approach, evaluation
429 of cybersecurity and data privacy risks, technology-specific
430 performance metrics and service levels, and outcome-based
431 performance indicators.

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432 2. Market research, including the use of a request for
433 information, as defined in s. 287.012, to solicit information
434 about industry approaches and to view live demonstrations that
435 may enable the agency's business outcomes. Market research may
436 not be conducted in a manner that confers an unfair competitive
437 advantage including, but not limited to, the use of nonpublic
438 information, preferential access, or conducting evaluative
439 activities that may favor a specific vendor or group of vendors.

440 3. Planning and scheduling.

441 4. Stakeholder engagement.

442 5. Risk assessment.

443 6. Procurement strategy.

444 7. Project governance definition.

445 8. System design and requirements.

446 9. Change management.

447 10. Monitoring and reporting.

448 11. Postimplementation review and planning.

449 12. Solicitation documentation.

450 (d) Develop a standardized governance structure with
451 clearly defined roles and decision-making authority a state
452 agency must use for an information technology project. The
453 governance structure must incorporate approval processes and
454 ongoing interagency engagement throughout the project lifecycle
455 for an information technology project that integrates with one

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456 or more state agencies. The governance structure must also
457 include an executive steering committee responsible for:
458 1. Approving the project charter, scope, budget, and
459 schedule.
460 2. Approving changes to project scope, budget, or schedule
461 that exceed the variance thresholds established in the project
462 management and oversight standards adopted pursuant to s.
463 282.0051(1)(c).
464 3. Monitoring project progress and addressing risks.
465 4. Reviewing, evaluating, and determining whether to
466 proceed with or suspend a project phase at major project
467 milestones.
468 5. Providing oversight of vendor performance.
469 6. Meeting at least quarterly and documenting decisions
470 and actionable items.
471 7. Notifying the chairs of the legislative appropriations
472 committees, in a timely manner, of any actual or forecasted
473 risks that exceed the established variance thresholds or impede
474 the ability to achieve the project's intended business outcomes
475 or overall success.
476 (e) Develop forms for state agencies to use to evaluate
477 and report the performance of information technology vendors in
478 the delivery of information technology commodities or services
479 on or before January 1, 2027.

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480 (f) Develop trainings specific to information technology
481 that supplement and enhance the trainings offered by the
482 department under s. 287.057(15)(c) and (17)(b), and the Chief
483 Financial Officer under s. 287.057(15)(b). The bureau shall
484 evaluate such training at least once every 4 years to assess the
485 effectiveness and update the training curriculum. The training
486 must be designed to:

487 1. Address the unique requirements and risk profiles of
488 state information technology projects, procurements, contract
489 management, and vendor management.

490 2. Improve the technical understanding of the job
491 requirements, certifications, and skill sets required by state
492 agencies recruiting for information technology roles.

493 (2) The state chief information officer, in consultation
494 with the Secretary of Management Services, shall designate a
495 chief of the Bureau of Enterprise Project Management and
496 Oversight. The chief must have demonstrable experience in the
497 governance of large-scale public sector information technology
498 initiatives and portfolios, negotiation and management of
499 information technology contracts, modular contracting and
500 delivery, and performance management.

501 **Section 5. Section 282.00514, Florida Statutes, is created**
502 **to read:**

503 282.00514 Duties of state agencies.-

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504 (1) State agencies must include the information technology
505 policy adopted pursuant to s. 282.0051(1)(o) in all
506 solicitations and contracts for information technology
507 commodities or services.

508 (2) State agencies must follow the processes and use the
509 forms developed by the Bureau of Enterprise Project Management
510 and Oversight to evaluate and report the performance of
511 information technology vendors in the delivery of information
512 technology commodities or services.

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

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

526 (a) Provide the Florida Digital Service with written
527 notice of any planned procurement of an information technology
528 project, the proposed scope, the project specifications, and the

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529 project business case at least 90 days before the planned
530 publication date of the competitive solicitation.

531 (b) Receive certification by the Florida Digital Service
532 that the project planning complies with the presolicitation
533 planning framework established by the Florida Digital Service
534 before any competitive solicitation related to an information
535 technology project may be issued.

536 (c) Comply with the governance framework established by
537 the Bureau of Enterprise Project Management and Oversight when
538 implementing an information technology project.

539 (d) Provide the Florida Digital Service all information
540 necessary for the Florida Digital Service to fulfill its project
541 oversight responsibilities.

542 (5) State agencies must provide the information required
543 to complete the report in s. 282.0051(1)(w) in a format and
544 manner prescribed by the Florida Digital Service and must
545 certify the information provided is accurate and complete to the
546 best of their knowledge as of the submission date.

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

550 282.00515 Duties of Cabinet agencies.—

551 (1) The Department of Legal Affairs, the Department of
552 Financial Services, and the Department of Agriculture and
553 Consumer Services shall adopt the standards established in s.

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554 282.0051(1)(b), (c), and (g) and (7)(d) ~~s. 282.0051(1)(b), (c),~~
555 ~~and (r) and (3)(e)~~ or adopt alternative standards based on best
556 practices and industry standards that allow for open data
557 interoperability.

558 (3) The Department of Legal Affairs, the Department of
559 Financial Services, and the Department of Agriculture and
560 Consumer Services may contract with the Florida Digital Service
561 ~~department~~ to provide or perform any of the services and
562 functions described in s. 282.0051.

563 (4)

564 (b) The ~~department, acting through the~~ Florida Digital
565 Service, may not retrieve or disclose any data without a shared-
566 data agreement in place between the Florida Digital Service
567 ~~department~~ and the Department of Legal Affairs, the Department
568 of Financial Services, or the Department of Agriculture and
569 Consumer Services.

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

572 287.057 Procurement of commodities or contractual
573 services.—

574 (26)

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

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578 **Section 8. Section 287.0583, Florida Statutes, is created**
579 **to read:**

580 287.0583 Contract requirements for information technology
581 commodities or services.—A contract for information technology
582 commodities or services involving the development,
583 customization, implementation, integration, support or
584 maintenance of software systems, applications, platforms, or
585 related services must ensure the following:

586 (1) Any data created, processed, or maintained under the
587 contract is portable and can be extracted in a machine-readable
588 format upon request.

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

592 (3) The vendor will provide, upon request, reasonable
593 assistance and support during a transition to the agency or to a
594 new vendor.

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

599 **Section 9. Section 287.0591, Florida Statutes, is amended**
600 **to read:**

601 287.0591 Information technology competitive solicitations;
602 vendor performance disqualification.—

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

606 ~~(b) (2)~~ Any competitive solicitation issued by the
607 department for a state term contract for information technology
608 consultant services or information technology staff augmentation
609 contractual services must include a term that does not exceed 48
610 months.

611 ~~(c) (3)~~ The department may execute a state term contract
612 for information technology commodities, consultant services, or
613 staff augmentation contractual services that exceeds the 48-
614 month requirement if the Secretary of Management Services and
615 the state chief information officer certify in writing to the
616 ~~Executive Office of the~~ Governor that a longer contract term is
617 in the best interest of the state.

618 ~~(2) (4)~~ ~~If the department issues a competitive solicitation~~
619 ~~for information technology commodities, consultant services, or~~
620 ~~staff augmentation contractual services,~~ The Florida Digital
621 Service ~~within the department~~ shall participate in ~~such~~
622 competitive solicitations for information technology
623 commodities, consultant services, or staff augmentation
624 contractual services issued by the department, which shall
625 include reviewing the solicitation specifications to verify
626 compliance with enterprise architecture and cybersecurity
627 standards, evaluating vendor responses under established

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628 criteria, answering vendor questions, and providing any other
629 technical expertise necessary.

630 (3) (a) ~~(5)~~ If an agency issues a request for quote to
631 purchase information technology commodities, information
632 technology consultant services, or information technology staff
633 augmentation contractual services from the state term contract
634 that meets the CATEGORY TWO threshold amount, but is less than
635 the CATEGORY FOUR threshold amount:

636 1. For any contract with 25 approved vendors or fewer, the
637 agency must issue a request for quote to all vendors approved to
638 provide such commodity or service.

639 2. For any contract with more than 25 approved vendors,
640 the agency must issue a request for quote to at least 25 of the
641 vendors approved to provide such commodity or contractual
642 service.

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

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

650 (4) (a) An agency procuring information technology
651 commodities, information technology consultant services, or
652 information technology staff augmentation contractual services

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653 that meet or exceed the CATEGORY FOUR threshold amount must
654 publish on a searchable and publicly available system of record
655 maintained by the department:

656 1. The written request for vendor pricing and services
657 information for a minimum of 5 business days before executing a
658 contract or purchase order.

659 2. The name of the selected vendor.

660 (b) The agency must maintain a copy of the request for
661 vendor pricing and services information, the identity of the
662 vendors to whom the request was sent, and any vendor responses
663 for 2 years after the date of issuance of the purchase order.

664 (5) Agencies issuing a competitive solicitation to
665 purchase information technology services must consult the
666 repository of vendor performance records developed under s.
667 287.057(26) (e), and consider any relevant records when
668 evaluating vendor responses to the competitive solicitation.

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

672 (a) Address complex information technology objectives
673 incrementally to enhance the likelihood of attaining those
674 objectives.

675 (b) Provide for delivery, implementation, and testing of
676 workable systems or solutions in discrete increments, each of
677 which comprises a system or solution that is not dependent on a

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678 subsequent increment in order to perform its principal
679 functions.

680 (c) Provide an opportunity for subsequent increments of
681 the acquisition to take advantage of any evolution in technology
682 or needs that occurs during the implementation of earlier
683 increments.

684 (7) (a) ~~(6)~~ Beginning October 1, 2021, and Each October 1
685 thereafter, the department shall prequalify firms and
686 individuals to provide information technology staff augmentation
687 contractual services and information technology commodities on
688 state term contract.

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

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

697 (d) Once a firm or individual has been prequalified to
698 provide information technology staff augmentation contractual
699 services or information technology commodities on state term
700 contract, the firm or individual may respond to requests for
701 quotes from an agency to provide such services.

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702 (8) Notwithstanding s. 287.057, a competitive solicitation
703 is required for the procurement of information technology, as
704 defined in s. 282.0041, only when the total contract value
705 exceeds the CATEGORY FOUR threshold. Except as expressly
706 provided in this paragraph, all other requirements continue to
707 apply to the procurement of information technology.

708 **Section 10.** This act shall take effect July 1, 2026.
709

710 -----
711 **T I T L E A M E N D M E N T**

712 Remove everything before the enacting clause and insert:

713 A bill to be entitled

714 An act relating to information technology procurement
715 and contracting; amending s. 20.22, F.S.; providing
716 that the Bureau of Enterprise Project Management and
717 Oversight is within the Florida Digital Service;
718 amending s. 282.0041, F.S.; revising and providing
719 definitions; amending s. 282.0051, F.S.; revising the
720 duties and responsibilities of the Florida Digital
721 Service; requiring the Florida Digital Service to
722 manage certain contracts, report certain information
723 to specified parties annually, and adopt certain
724 rules; creating s. 282.00513, F.S.; creating the
725 Bureau of Enterprise Project Management and Oversight
726 within the Florida Digital Service; providing duties

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727 and responsibilities of the bureau; requiring certain
728 parties to designate a chief of the bureau; creating
729 s. 282.00514, F.S.; requiring state agencies include
730 specified information in certain solicitations and
731 contracts; requiring state agencies to follow certain
732 processes and use certain forms in certain
733 circumstances; requiring state agencies to consult
734 with the Florida Digital Service and work
735 cooperatively with specified entities in certain
736 circumstances; requiring state agencies to take
737 certain actions related to information technology
738 project procurement planning; requiring state agencies
739 to comply with the information technology governance
740 framework established by the Bureau of Enterprise
741 Project Management and Oversight; requiring state
742 agencies provide information in a specified format;
743 amending s. 282.00515, F.S.; conforming provisions to
744 changes made by the act; amending s. 287.057, F.S.;
745 requiring the Department of Management services to
746 maintain a specified repository for certain records;
747 creating s. 287.0583, F.S.; providing contract
748 requirements for certain information technology
749 commodities and services; amending s. 287.0591, F.S.;
750 revising requirements for information technology

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COMMITTEE/SUBCOMMITTEE AMENDMENT

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751 competitive solicitations; providing an effective
752 date.