

Bill No. SB 1974

Barcode 565342

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Proposed Committee Substitute by the Committee on Governmental  
Operations

1                                   A bill to be entitled  
2           An act relating to state information  
3           technology; creating s. 14.204, F.S.; creating  
4           the Agency for Enterprise Information  
5           Technology within the Executive Office of the  
6           Governor; providing for the Governor and  
7           Cabinet to be the head of the agency; requiring  
8           that the agency be a separate budget entity  
9           that is not subject to the control of the  
10          Executive Office of the Governor; providing for  
11          an executive director of the agency to be  
12          subject to confirmation by the Senate;  
13          providing for the executive director to be the  
14          chief information officer of the state and the  
15          executive sponsor for all enterprise  
16          information technology projects; specifying the  
17          duties and responsibilities of the agency,  
18          which include defining architecture standards  
19          for information technology and developing a  
20          strategic information technology plan;  
21          requiring each state agency and the Agency  
22          Chief Information Officers Council to  
23          participate in the activities of the Agency for  
24          Enterprise Information Technology; amending s.  
25          20.22, F.S.; removing the State Technology  
26          Office within the Department of Management  
27          Services; amending s. 216.0446, F.S.; revising  
28          the duties of the Technology Review Workgroup  
29          within the Legislature to conform to the  
30          transfer of duties concerning the management of  
31          information technology for state agencies;

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1           amending s. 282.0041, F.S.; revising and  
2           providing definitions; creating s. 282.0055,  
3           F.S.; providing for the Agency for Enterprise  
4           Information Technology to oversee information  
5           technology services that are common to all  
6           executive branch agencies and for agency  
7           information technology services to be  
8           responsible for information technology within  
9           an individual state agency; creating s.  
10          282.0056, F.S.; requiring the Agency for  
11          Enterprise Information Technology to develop a  
12          work plan; requiring that the work plan be  
13          approved by the Governor and Cabinet and  
14          submitted to the Legislature; requiring that  
15          certain specified policies be included in the  
16          initial work plan; requiring that the agency  
17          develop policy recommendations and strategies  
18          for consolidating computer rooms and data  
19          centers; requiring each state agency to provide  
20          assistance in the development of the work plan  
21          upon request; amending s. 282.20, F.S.;  
22          transferring management of the Technology  
23          Resource Center from the State Technology  
24          Office to the Department of Management  
25          Services; revising the duties of the center to  
26          conform to changes made by the act; requiring  
27          that the center submit its service rates and  
28          cost-allocation plan to the Agency for  
29          Enterprise Information Technology for review  
30          and approval; amending s. 282.3055, F.S.;  
31          revising the duties of the agency chief

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1 information officers; amending s. 282.315,  
2 F.S.; revising the duties of the Agency Chief  
3 Information Officers Council; requiring that  
4 the council assist the Agency for Enterprise  
5 Information Technology in developing strategies  
6 for information technology services and  
7 projects and make policy recommendations;  
8 revising the membership of the council;  
9 providing for the appointment of a chair, vice  
10 chair, and secretary; amending s. 282.318,  
11 F.S.; providing duties of the Agency for  
12 Enterprise Information Technology with respect  
13 to the security of data and information  
14 technology resources; requiring state agencies  
15 to conduct a comprehensive risk analysis at  
16 specified intervals, develop and update  
17 internal policies and procedures, and ensure  
18 compliance with certain security requirements;  
19 requiring the Agency for Enterprise Information  
20 Technology to designate a chief information  
21 security officer, develop standards for risk  
22 analyses and security audits, and provide  
23 training for agency information security  
24 managers; providing rulemaking authority;  
25 deleting provisions specifying duties of the  
26 Department of Management Services to conform to  
27 changes made by the act; amending s. 282.322,  
28 F.S.; requiring that the Agency for Enterprise  
29 Information Technology perform contract  
30 monitoring duties formerly performed by the  
31 Enterprise Project Management Office of the

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1 State Technology Office; amending s. 216.023,  
2 F.S.; requiring that certain legislative budget  
3 requests include the statutory reference to the  
4 policy requiring a new information technology  
5 project; providing for the transfer of  
6 specified duties from the State Technology  
7 Office to the Department of Management  
8 Services; repealing ss. 186.022, 282.005,  
9 282.101, 282.102, 282.23, 282.3031, 282.3032,  
10 282.3063, 282.310, 287.057(24), 288.1092, and  
11 288.1093, F.S., relating to information  
12 technology strategic plans, duties of the State  
13 Technology Office, the State Strategic  
14 Information Technology Alliance, information  
15 resources management responsibilities, guiding  
16 principles, the Agency Annual Enterprise  
17 Resource Planning and Management Report, the  
18 State Annual Report on Enterprise Resource  
19 Planning and Management, state strategic  
20 information technology alliances, and the  
21 One-Stop Permitting System Grant Program and  
22 the Quick Permitting County Designation Program  
23 within the State Technology Office; amending  
24 ss. 215.95, 215.96, 282.103, 282.107, 339.155,  
25 381.90, 403.973, 408.05, 420.0003, 420.511,  
26 943.08, and 1001.26, F.S., relating to the  
27 Financial Management Information Board and its  
28 coordination council, the SUNCOM Network,  
29 transportation planning, the Health Information  
30 Systems Council, expedited permitting, the  
31 Florida Center for Health Information and

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1 Policy Analysis, the state housing strategy and  
 2 the Florida Housing Finance Corporation, the  
 3 Criminal and Juvenile Justice Information  
 4 System Council, and the public broadcasting  
 5 program system; conforming cross-references and  
 6 other references to provisions repealed by the  
 7 act; providing appropriations and providing  
 8 additional positions; authorizing the Agency  
 9 for Enterprise Information Technology to  
 10 provide training for agency chief information  
 11 officers; requiring the agency to develop a  
 12 plan and business case analysis for state  
 13 agency documents; providing requirements for  
 14 the plan; requiring the agency to develop  
 15 rules; providing an effective date.

16

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

18

19 Section 1. Section 14.204, Florida Statutes, is  
 20 created to read:

21

22 14.204 Agency for Enterprise Information  
 23 Technology.--The Agency for Enterprise Information Technology  
 24 is created within the Executive Office of the Governor. The  
 25 head of the agency shall be the Governor and Cabinet, which  
 26 shall take action by majority vote consisting of at least  
 27 three affirmative votes with the Governor on the prevailing  
 28 side. The agency shall be a separate budget entity that is not  
 29 subject to control, supervision, or direction by the Executive  
 30 Office of the Governor in any manner, including, but not  
 31 limited to, purchasing, transactions involving real or  
personal property, personnel, or budgetary matters.

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1           (1) The executive director of the agency shall be  
2 appointed by the Governor and Cabinet, is subject to  
3 confirmation by the Senate, and shall serve at the pleasure of  
4 the Governor and Cabinet. The executive director shall be the  
5 chief information officer of the state and the executive  
6 sponsor for all enterprise information technology projects.

7           (2) The agency shall have the following duties and  
8 responsibilities:

9           (a) Develop and implement strategies for the design,  
10 delivery, and management of the enterprise information  
11 technology services established in law.

12           (b) Manage the operation of the enterprise information  
13 technology services as identified in law, which includes  
14 executing service-level agreements, managing the procurement  
15 of enterprise information technology resources, and managing  
16 contracts with enterprise information technology service  
17 providers.

18           (c) Make recommendations to the agency head and the  
19 Legislature concerning other information technology services  
20 that should be designed, delivered, and managed at the  
21 enterprise level as defined in s. 282.0041(6).

22           (d) Plan and manage statutorily authorized enterprise  
23 information technology projects, which includes developing  
24 business cases that, when applicable, include the components  
25 identified in s. 287.0574; establishing and coordinating  
26 project-management teams; establishing formal risk-assessment  
27 and mitigation processes; and providing for independent  
28 monitoring of projects for recommended corrective actions.

29           (e) Provide project-management resources and  
30 assistance to state agencies for information technology  
31 projects that are designated as high-risk pursuant to s.

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1 282.322.

2 (f) Not earlier than July 1, 2008, define the  
3 architecture standards for enterprise information technology  
4 and develop implementation approaches for statewide migration  
5 to those standards.

6 (g) Analyze the effect of new investments of  
7 enterprise information technology on existing information  
8 technology and complete assessments of the capability of the  
9 enterprise information technology.

10 (h) Identify needs for professional development and  
11 training and provide opportunities for agency chief  
12 information officers which focus on aligning the operational  
13 activities of each state agency's information technology with  
14 best practices, standards, and project-management  
15 methodologies that promote sustainable and repeatable  
16 processes.

17 (i) Develop and publish an enterprise strategic  
18 information technology plan that identifies and recommends  
19 strategies for how enterprise information technology will  
20 deliver effective and efficient government services to state  
21 residents and improve the operations of state agencies.

22 (3) The agency shall operate in such a manner as to  
23 ensure participation and representation of state agencies and  
24 the Agency Chief Information Officers Council established in  
25 s. 282.315.

26 Section 2. Section 20.22, Florida Statutes, is amended  
27 to read:

28 20.22 Department of Management Services.--There is  
29 created a Department of Management Services.

30 (1) The head of the Department of Management Services  
31 is the Secretary of Management Services, who shall be

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1 appointed by the Governor, subject to confirmation by the  
 2 Senate, and shall serve at the pleasure of the Governor.

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

- 5 (a) Facilities Program.
- 6 ~~(b) State Technology Office.~~
- 7 ~~(b)(c)~~ Workforce Program.
- 8 ~~(c)(d)~~ 1. Support Program.
- 9 2. Federal Property Assistance Program.
- 10 ~~(d)(e)~~ Administration Program.
- 11 ~~(e)(f)~~ Division of Administrative Hearings.
- 12 ~~(f)(g)~~ Division of Retirement.
- 13 ~~(g)(h)~~ Division of State Group Insurance.

14 ~~(3) The State Technology Office shall operate and~~  
 15 ~~manage the Technology Resource Center.~~

16 ~~(3)(4)~~ The duties of the Chief Labor Negotiator shall  
 17 be determined by the Secretary of Management Services, and  
 18 must include, but need not be limited to, the representation  
 19 of the Governor as the public employer in collective  
 20 bargaining negotiations pursuant to the provisions of chapter  
 21 447.

22 Section 3. Section 216.0446, Florida Statutes, is  
 23 amended to read:

24 216.0446 Review of information technology resources  
 25 ~~management~~ needs.--

26 (1) There is created within the Legislature the  
 27 Technology Review Workgroup. The workgroup ~~and the State~~  
 28 ~~Technology Office~~ shall ~~independently~~ review and make  
 29 recommendations with respect to the portion of agencies'  
 30 long-range program plans which pertains to information  
 31 technology resources ~~management~~ needs and with respect to

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1 agencies' legislative budget requests for information  
 2 technology and related resources. The Technology Review  
 3 Workgroup shall report such recommendations, together with the  
 4 findings and conclusions on which such recommendations are  
 5 based, to the Legislative Budget Commission. ~~The State  
 6 Technology Office shall report such recommendations, together  
 7 with the findings and conclusions on which such  
 8 recommendations are based, to the Executive Office of the  
 9 Governor and to the chairs of the legislative appropriations  
 10 committees.~~

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

15 (a) To evaluate the information technology ~~resource~~  
 16 ~~management~~ needs identified in the agency long-range program  
 17 plans ~~for consistency with the State Annual Report on~~  
 18 ~~Enterprise Resource Planning and Management and statewide~~  
 19 ~~policies recommended by the State Technology Office,~~ and make  
 20 recommendations to the Legislative Budget Commission.

21 (b) To review and make recommendations to the  
 22 Legislative Budget Commission on proposed budget amendments  
 23 and agency transfers associated with information technology  
 24 initiatives or projects that involve more than one agency,  
 25 that have an outcome that impacts another agency, that exceed  
 26 \$500,000 in total cost over a 1-year period, or that are  
 27 requested by the Legislative Budget Commission to be reviewed.

28 Section 4. Section 282.0041, Florida Statutes, is  
 29 amended to read:

30 282.0041 Definitions.--For the purposes of this part,  
 31 the term:

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1           (1) "Agency" means those entities described in s.  
2 216.011(1)(qq).

3           ~~(2) "Agency Annual Enterprise Resource Planning and~~  
4 ~~Management Report" means the report prepared by each Agency~~  
5 ~~Chief Information Officer as required by s. 282.3063.~~

6           (2)(3) "Agency Chief Information Officer" means the  
7 person appointed by the agency head State Technology Office to  
8 coordinate and manage the information technology functions  
9 policies and responsibilities activities applicable to that  
10 agency and to participate and represent his or her agency in  
11 developing strategies for implementing enterprise information  
12 technology services identified in law and developing  
13 recommendations for enterprise information technology policy.

14           ~~(3)(4) "Agency Chief Information Officers Council"~~  
15 ~~means the council created in s. 282.315 to facilitate the~~  
16 ~~sharing and coordination of information technology issues and~~  
17 ~~initiatives among the agencies.~~

18           (4) "Agency for Enterprise Information Technology"  
19 means the agency created in s. 14.204.

20           (5) "Agency information technology service" means a  
21 service that directly helps the agency fulfill its statutory  
22 or constitutional responsibilities and policy objectives and  
23 is usually associated with the agency's primary or core  
24 business functions.

25           (6) "Customer relationship management" or "CRM" means  
26 the business processes, software, and Internet companies that  
27 can help state agencies manage customer relationships of the  
28 organization at the enterprise level.

29           (7) "Enterprise level" means all executive branch  
30 agencies created or authorized in statute to perform  
31 legislatively delegated functions.

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1           (8) "Enterprise information technology service" means  
 2 an information technology service that is common among  
 3 agencies and is designed, delivered, and managed at the  
 4 enterprise level.

5           (9) "Data center service" means the enterprise  
 6 information technology service that provides the centralized  
 7 operation and management of data centers and server rooms.

8           (10) "E-mail, messaging, and calendaring service"  
 9 means the enterprise information technology service that  
 10 enables users to send, receive, file, store, manage, and  
 11 retrieve electronic messages, attachments, appointments, and  
 12 addresses.

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

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

25           (11)(7) "Information technology" means equipment,  
 26 hardware, software, firmware, programs, systems, networks,  
 27 infrastructure, media, and related material used to  
 28 automatically, electronically, and wirelessly collect,  
 29 receive, access, transmit, display, store, record, retrieve,  
 30 analyze, evaluate, process, classify, manipulate, manage,  
 31 assimilate, control, communicate, exchange, convert, converge,

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1 interface, switch, or disseminate information of any kind or  
2 form.

3 (12) "Information technology policy" means statements  
4 that describe clear choices for how information technology  
5 will deliver effective and efficient government services to  
6 residents and improve state agency operations. Such a policy  
7 may relate to investments, business applications,  
8 architecture, or infrastructure. A policy describes its  
9 rationale, implications of compliance or noncompliance, the  
10 timeline for implementation, metrics for determining  
11 compliance, and the accountable structure responsible for its  
12 implementation.

13 (13)(8) "Project" means an undertaking directed at the  
14 accomplishment of a strategic objective relating to enterprise  
15 resources management or a specific appropriated program.

16 ~~(9) "State Annual Report on Enterprise Resource~~  
17 ~~Planning and Management" means the report prepared by the~~  
18 ~~State Technology Office as defined in s. 282.102.~~

19 (14)(10) "Standards" means the use of current, open,  
20 nonproprietary, or non-vendor-specific technologies.

21 ~~(11) "State Technology Office" or "office" means the~~  
22 ~~office created in s. 282.102.~~

23 (15)(12) "Total cost" means all costs associated with  
24 information technology projects or initiatives, including, but  
25 not limited to, value of hardware, software, service,  
26 maintenance, incremental personnel, and facilities. Total  
27 cost of a loan or gift of information technology resources to  
28 an agency includes the fair market value of the resources,  
29 except that the total cost of loans or gifts of information  
30 technology to state universities to be used in instruction or  
31 research does not include fair market value.

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1           Section 5. Section 282.0055, Florida Statutes, is  
2 created to read:

3           282.0055 Assignment of information technology.--In  
4 order to ensure the most effective and efficient use of the  
5 state's information technology and information technology  
6 resources and notwithstanding other provisions of law to the  
7 contrary, the design, delivery, and management of the  
8 enterprise information technology services defined in s.  
9 282.0041(7) shall be the responsibility of the Agency for  
10 Enterprise Information Technology for executive branch  
11 agencies created or authorized in statute to perform  
12 legislatively delegated functions. The design, delivery, and  
13 management of the agency information technology services  
14 defined in s. 282.0041(5) shall be the responsibility of the  
15 individual state agency.

16           Section 6. Section 282.0056, Florida Statutes, is  
17 created to read:

18           282.0056 Development of work plan.--  
19           (1) For purposes of carrying out its responsibilities  
20 set forth in s. 282.0055, the Agency for Enterprise  
21 Information Technology shall develop a work plan describing  
22 the activities that the agency intends to undertake and the  
23 proposed outcomes. The work plan must be approved by the  
24 agency head and submitted to the President of the Senate and  
25 the Speaker of the House of Representatives. The work plan may  
26 be amended as needed to ensure that the enterprise information  
27 technology services will be provided in an efficient,  
28 effective, and accountable manner. For the 2008-2009 fiscal  
29 year, the agency's work plan shall include the development of  
30 recommended information technology policies, as defined in s.  
31 282.0041(11), and implementation plans for two of the

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1 following in each of the fiscal years beginning in 2008-2009:

2 (a) Consolidation of the deployment, management, and  
3 operation of state-owned or state-operated computer rooms and  
4 data centers.

5 (b) A shared or consolidated enterprise information  
6 technology service delivery and support model for the e-mail,  
7 messaging, and calendaring service defined in s. 282.0041(9).

8 (c) Information security.

9 (d) Customer relationship management.

10 (2) In developing policy recommendations and  
11 implementation plans for current and proposed enterprise  
12 information technology services, the agency shall describe the  
13 scope of operation, conduct costs and requirements analyses,  
14 conduct an inventory of all existing information technology  
15 resources that are associated with each service, and develop  
16 strategies and timeframes for statewide migration. For  
17 purposes of consolidating state-owned or state-operated  
18 computer rooms and data centers, the Agency for Enterprise  
19 Information Technology shall develop a migration plan that  
20 ensures the migration of at least three computer rooms or data  
21 centers each fiscal year.

22 (3) For the purpose of completing its work activities,  
23 each state agency shall provide to the Agency for Enterprise  
24 Information Technology all requested information, including,  
25 but not limited to, the agency's costs, service requirements,  
26 and equipment inventories.

27 Section 7. Section 282.20, Florida Statutes, is  
28 amended to read:

29 282.20 Technology Resource Center.--

30 (1)(a) The Department of Management Services State  
31 Technology Office shall operate and manage the Technology

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1 Resource Center.

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

3 1. "Information-system utility" means a full-service  
4 information-processing facility offering hardware, software,  
5 operations, integration, networking, and consulting services.

6 2. "Customer" means a state agency or other entity  
7 which is authorized to utilize the SUNCOM Network pursuant to  
8 this part.

9 (2) The Technology Resource Center shall:

10 (a) Serve ~~the office and other~~ customers as an  
11 information-system utility.

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

15 ~~(c) Cooperate with the Florida Legal Resource Center~~  
16 ~~of the Department of Legal Affairs and other state agencies to~~  
17 ~~develop and provide access to repositories of legal~~  
18 ~~information throughout the state.~~

19 ~~(c)(d)~~ Cooperate with the Agency for Enterprise  
20 Information Technology ~~office~~ to identify and facilitate  
21 interdepartmental networking and integration of network  
22 services for its customers.

23 ~~(d)(e)~~ Assist customers in testing and evaluating new  
24 and emerging technologies that could be used to meet the needs  
25 of the state.

26 (3) The department ~~office~~ may contract with customers  
27 to provide any combination of services necessary for agencies  
28 to fulfill their responsibilities and to serve their users.

29 (4) The Technology Resource Center may plan, design,  
30 establish pilot projects for, and conduct experiments with  
31 information technology resources, and may implement

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1 enhancements in services when such implementation is  
 2 cost-effective. Funding for experiments and pilot projects  
 3 shall be derived from service revenues and may not exceed 5  
 4 percent of the service revenues for the Technology Resource  
 5 Center for any single fiscal year. Any experiment, pilot  
 6 project, plan, or design must be approved by the Agency for  
 7 Enterprise Information Technology ~~Chief Information Officer.~~

8 (5) Beginning in the 2007-2008 fiscal year and  
 9 annually thereafter, the Technology Resource Center shall  
 10 submit to the Agency for Enterprise Information Technology for  
 11 its review and approval a copy of its service rates and  
 12 cost-allocation plan. When appropriate, the Agency for  
 13 Enterprise Information Technology shall request review and  
 14 comment from the customers and Agency Chief Information  
 15 Officers Council concerning the center's proposed rate  
 16 structure.

17 ~~(5) Notwithstanding the provisions of s. 216.272, the~~  
 18 ~~Technology Resource Center may spend funds in the reserve~~  
 19 ~~account of the Technology Enterprise Operating Trust Fund for~~  
 20 ~~enhancements to center operations or for information~~  
 21 ~~technology resources. Any expenditure of reserve account funds~~  
 22 ~~must be approved by the Chief Information Officer. Any funds~~  
 23 ~~remaining in the reserve account at the end of the fiscal year~~  
 24 ~~may be carried forward and spent as approved by the Chief~~  
 25 ~~Information Officer, provided that such approval conforms to~~  
 26 ~~any applicable provisions of chapter 216.~~

27 Section 8. Section 282.3055, Florida Statutes, is  
 28 amended to read:

29 282.3055 Agency chief information officer;  
 30 appointment; duties.--

31 (1)(a) Each agency head shall ~~To assist the State~~

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1 ~~Technology Officer in carrying out the enterprise resource~~  
 2 ~~planning and management responsibilities, the Chief~~  
 3 ~~Information Officer may appoint or contract for an agency~~  
 4 ~~chief information officer. This position may be full time or~~  
 5 ~~part time.~~

6 (b) The agency chief information officer must, at a  
 7 minimum, have knowledge and experience in both management and  
 8 information technology resources.

9 (2) The duties of the agency chief information officer  
 10 include, but are not limited to:

11 (a) Coordinating and facilitating the agency  
 12 ~~enterprise resource planning and management of agency~~  
 13 ~~information technology services projects and initiatives.~~

14 ~~(b) Preparing an agency annual report on enterprise~~  
 15 ~~resource planning and management pursuant to s. 282.3063.~~

16 ~~(b)(c) Developing and Implementing agency information~~  
 17 ~~technology enterprise resource planning and management~~  
 18 ~~policies, procedures, guidelines, and standards that are~~  
 19 ~~consistent with the procedures and standards adopted by the~~  
 20 ~~Agency for Enterprise Information Technology, including~~  
 21 ~~specific policies and procedures for review and approval of~~  
 22 ~~the agency's purchases of information technology resources in~~  
 23 ~~accordance with the office's policies and procedures.~~

24 ~~(c)(d) Advising agency senior management as to the~~  
 25 ~~information technology enterprise resource planning and~~  
 26 ~~management needs of the agency for inclusion in planning~~  
 27 ~~documents required by law.~~

28 ~~(d)(e) Assisting in the development and prioritization~~  
 29 ~~of the information technology enterprise resource needs for~~  
 30 ~~planning and management schedule of the agency's legislative~~  
 31 ~~budget request.~~

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1           (e) Assisting the Agency for Enterprise Information  
 2 Technology in the development of strategies for implementing  
 3 the utility information technology services established in law  
 4 and developing recommendations for enterprise information  
 5 technology policy.

6           Section 9. Section 282.315, Florida Statutes, is  
 7 amended to read:

8           282.315 Agency Chief Information Officers Council;  
 9 creation.--The Legislature finds that enhancing communication,  
 10 consensus building, coordination, and facilitation with  
 11 respect to issues concerning ~~of statewide~~ enterprise  
 12 information technology resources are ~~resource planning and~~  
 13 ~~management issues is~~ essential to improving the ~~state~~  
 14 management of such resources.

15           (1) There is created an Agency Chief Information  
 16 Officers Council to:

17           (a) Enhance communication and collaboration among the  
 18 Agency Chief Information Officers and the Agency for  
 19 Enterprise Information Technology ~~by sharing enterprise~~  
 20 ~~resource planning and management experiences and exchanging~~  
 21 ~~ideas.~~

22           (b) Identify and recommend ~~Facilitate the sharing of~~  
 23 best practices that are characteristic of highly successful  
 24 technology organizations, as well as exemplary information  
 25 technology applications for use by ~~of~~ state agencies, and  
 26 assist the Agency for Enterprise Information Technology in  
 27 developing strategies for implementing the utility information  
 28 technology services and enterprise information technology  
 29 projects established in law and developing recommendations for  
 30 enterprise information technology policy.

31           (c) Identify efficiency opportunities among state

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1 agencies and make recommendations for action to the Agency for  
2 Enterprise Information Technology.

3 ~~(d) Serve as an educational forum for enterprise~~  
4 ~~resource planning and management issues.~~

5 ~~(d)(e)~~ Assist the Agency for Enterprise Information  
6 Technology State Technology Office in identifying critical  
7 enterprise information technology statewide issues and, when  
8 appropriate, make recommendations for solving enterprise  
9 resource planning and management deficiencies.

10 (2) Members of the council shall include the Agency  
11 Chief Information Officers, including the Chief Information  
12 Officers of the agencies and governmental entities enumerated  
13 in s. 282.0055 ~~s. 282.3031~~, except that there shall be one  
14 Chief Information Officer selected by the state attorneys and  
15 one Chief Information Officer selected by the public  
16 defenders. The council shall appoint a chair, vice chair, and  
17 secretary from among its members to a 1-year term each. The  
18 council shall establish procedures governing council business.  
19 ~~The chairs, or their designees, of the Florida Financial~~  
20 ~~Management Information System Coordinating Council, the~~  
21 ~~Criminal and Juvenile Justice Information Systems Council, and~~  
22 ~~the Health Information Systems Council shall represent their~~  
23 ~~respective organizations on the Chief Information Officers~~  
24 ~~Council as voting members.~~

25 (3) The Agency for Enterprise Information Technology  
26 ~~State Technology Office~~ shall provide administrative support  
27 to the council.

28 Section 10. Section 282.318, Florida Statutes, is  
29 amended to read:

30 282.318 Security of data and information technology  
31 resources.--

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1           (1) This section may be cited as the "Security of Data  
2 and Information Technology Infrastructure Resources Act."

3           (2)(a) The Agency for Enterprise Information  
4 Technology State Technology Office, in consultation with each  
5 agency head, is responsible ~~and accountable~~ for assessing and  
6 recommending minimum operating procedures for ensuring  
7 ~~assuring~~ an adequate level of security for all data and  
8 information technology resources for executive branch agencies  
9 created or authorized in statute to perform legislatively  
10 delegated functions. To assist the agency in carrying out this  
11 responsibility, of each agency head and, to carry out this  
12 ~~responsibility,~~ shall, at a minimum:

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

16           2. Conduct, and ~~periodically~~ update every 3 years, a  
17 comprehensive risk analysis to determine the security threats  
18 to the data, information, and information technology resources  
19 of the each agency. The risk analysis information is  
20 confidential and exempt from the provisions of s. 119.07(1),  
21 except that such information shall be available to the Auditor  
22 General and the Agency for Enterprise Information Technology  
23 in performing ~~his or her~~ postauditing duties.

24           3. Develop, and periodically update, written internal  
25 policies and procedures that are consistent with the standard  
26 operating procedures adopted by the Agency for Enterprise  
27 Information Technology in order to ensure ~~to assure~~ the  
28 security of the data, information, and information technology  
29 resources of the each agency. The internal policies and  
30 procedures that which, if disclosed, could facilitate the  
31 unauthorized modification, disclosure, or destruction of data

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1 or information technology resources are confidential  
2 information and exempt from the provisions of s. 119.07(1),  
3 except that such information shall be available to the Auditor  
4 General and the Agency for Enterprise Information Technology  
5 in performing ~~his or her~~ postauditing duties.

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

10 5. Ensure that periodic internal audits and  
11 evaluations of the agency's ~~each~~ security program for the  
12 data, information, and information technology resources of the  
13 agency are conducted. The results of such internal audits and  
14 evaluations are confidential information and exempt from the  
15 provisions of s. 119.07(1), except that such information shall  
16 be available to the Auditor General and the Agency for  
17 Enterprise Information Technology in performing ~~his or her~~  
18 postauditing duties.

19 6. Include appropriate security requirements, ~~as~~  
20 ~~determined by the State Technology Office, in consultation~~  
21 ~~with each agency head,~~ in the written specifications for the  
22 solicitation of information technology and information  
23 technology resources which are consistent with the standard  
24 security operating procedures adopted by the Agency for  
25 Enterprise Information Technology.

26 (b) In those instances under this subsection in which  
27 the state agency or department ~~State Technology Office~~  
28 develops state contracts ~~for use by state agencies~~, the state  
29 agency or department ~~office~~ shall include appropriate security  
30 requirements in the specifications for the solicitation for  
31 state contracts for procuring information technology or

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1 information technology resources.

2 (3) The Agency for Enterprise Information Technology  
3 shall designate a chief information security officer.

4 (4) The Agency for Enterprise Information Technology  
5 shall develop standards and templates for conducting  
6 comprehensive risk analyses and information security audits by  
7 state agencies, assist agencies in their compliance with the  
8 provisions of this section, pursue appropriate funding  
9 provided for the purpose of enhancing domestic security,  
10 establish minimum guidelines and procedures for the recovery  
11 of information technology following a disaster, and provide  
12 training for agency information security managers.

13 (5) The Agency for Enterprise Information Technology  
14 may adopt rules pursuant to ss. 120.536(1) and 120.54 relating  
15 to information security and to administer the provisions of  
16 this section.

17 ~~(3) Notwithstanding subsection (2), the Department of~~  
18 ~~Management Services, hereafter referred to as the~~  
19 ~~"department," in consultation with each agency head, is~~  
20 ~~responsible for coordinating, assessing, and recommending~~  
21 ~~minimum operating procedures for ensuring an adequate level of~~  
22 ~~security for data and information technology resources. To~~  
23 ~~assist the department in carrying out this responsibility,~~  
24 ~~each agency shall, at a minimum:~~

25 ~~(a) Designate an information security manager who~~  
26 ~~shall administer the security program of the agency for its~~  
27 ~~data and information technology resources.~~

28 ~~(b) Conduct, and update every 3 years, a comprehensive~~  
29 ~~risk analysis to determine the security threats to the data,~~  
30 ~~information, and information technology resources of the~~  
31 ~~agency. The risk analysis information made confidential and~~

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1 ~~exempt under subparagraph (2)(a)2. shall be available to the~~  
2 ~~Auditor General in performing his or her postauditing duties.~~

3 ~~(c) Develop, and periodically update, written internal~~  
4 ~~policies and procedures that are consistent with the standard~~  
5 ~~operating procedures recommended by the department to ensure~~  
6 ~~the security of the data and information technology resources~~  
7 ~~of the agency. The internal policies and procedures that, if~~  
8 ~~disclosed, could facilitate the unauthorized modification,~~  
9 ~~disclosure, or destruction of data or information technology~~  
10 ~~resources made confidential and exempt under subparagraph~~

11 ~~(2)(a)3. shall be available to the Auditor General in~~  
12 ~~performing his or her postauditing duties.~~

13 ~~(d) Implement appropriate cost-effective safeguards to~~  
14 ~~reduce, eliminate, or recover from the identified risks to the~~  
15 ~~data and information technology resources of the agency.~~

16 ~~(e) Ensure that periodic internal audits and~~  
17 ~~evaluations of the security program for the data, information,~~  
18 ~~and information technology resources of the agency are~~  
19 ~~conducted. The results of such internal audits and evaluations~~  
20 ~~made confidential and exempt under subparagraph (2)(a)5. shall~~  
21 ~~be available to the Auditor General in performing his or her~~  
22 ~~postauditing duties.~~

23 ~~(f) Include appropriate security requirements in the~~  
24 ~~written specifications for the solicitation of information~~  
25 ~~technology resources that are consistent with the standard~~  
26 ~~security operating procedures as recommended by the~~  
27 ~~department.~~

28 ~~(g) This subsection expires July 1, 2007.~~

29  
30 ~~In those instances under this subsection in which the~~  
31 ~~department develops state contracts for use by state agencies,~~

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1 ~~the department shall include appropriate security requirements~~  
2 ~~in the specifications for the solicitation for state contracts~~  
3 ~~for procuring information technology resources.~~

4 ~~(4) In order to ensure the security of data,~~  
5 ~~information, and information technology resources, the~~  
6 ~~department shall establish the Office of Information Security~~  
7 ~~and shall designate a Chief Information Security Officer as~~  
8 ~~the head of the office. The office shall coordinate its~~  
9 ~~activities with the Agency Chief Information Officers Council~~  
10 ~~as established in s. 282.315. The office is responsible for~~  
11 ~~developing a strategic plan for information technology~~  
12 ~~security which shall be submitted by March 1, 2007, to the~~  
13 ~~Executive Office of the Governor, the President of the Senate,~~  
14 ~~and the Speaker of the House of Representatives; developing~~  
15 ~~standards and templates for conducting comprehensive risk~~  
16 ~~analyses and information security audits by state agencies;~~  
17 ~~assisting agencies in their compliance with the provisions of~~  
18 ~~this section; establishing minimum standards for the recovery~~  
19 ~~of information technology following a disaster; and conducting~~  
20 ~~training for agency information security managers. This~~  
21 ~~subsection expires July 1, 2007.~~

22 Section 11. Subsection (2) of section 282.322, Florida  
23 Statutes, is amended to read:

24 282.322 Special monitoring process for designated  
25 information resources management projects.--

26 (2) The Agency for Enterprise Information Technology  
27 ~~Project Management Office of the State Technology Office~~ shall  
28 report on any information technology project that the  
29 Legislature projects the office identifies as high-risk to the  
30 Executive Office of the Governor, the President of the Senate,  
31 the Speaker of the House of Representatives, and the chairs of

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1 the appropriations committees. Within the limits of current  
 2 appropriations, the Agency for Enterprise Information  
 3 Technology ~~Project Management Office~~ shall monitor and report  
 4 on such high-risk information technology projects, and assess  
 5 the levels of risks associated with proceeding to the next  
 6 stage of the project.

7 Section 12. Paragraph (a) of subsection (4) of section  
 8 216.023, Florida Statutes, is amended to read:

9 216.023 Legislative budget requests to be furnished to  
 10 Legislature by agencies.--

11 (4)(a) The legislative budget request must contain for  
 12 each program:

13 1. The constitutional or statutory authority for a  
 14 program, a brief purpose statement, and approved program  
 15 components.

16 2. Information on expenditures for 3 fiscal years  
 17 (actual prior-year expenditures, current-year estimated  
 18 expenditures, and agency budget requested expenditures for the  
 19 next fiscal year) by appropriation category.

20 3. Details on trust funds and fees.

21 4. The total number of positions (authorized, fixed,  
 22 and requested).

23 5. An issue narrative describing and justifying  
 24 changes in amounts and positions requested for current and  
 25 proposed programs for the next fiscal year.

26 6. Information resource requests.

27 7. Supporting information, including applicable  
 28 cost-benefit analyses, business case analyses, performance  
 29 contracting procedures, service comparisons, and impacts on  
 30 performance standards for any request to outsource or  
 31 privatize agency functions. The cost-benefit and business case

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1 analyses must include an assessment of the impact on each  
 2 affected activity from those identified in accordance with  
 3 paragraph (b). Performance standards must include standards  
 4 for each affected activity and be expressed in terms of the  
 5 associated unit of activity.

6           8. An evaluation of any major outsourcing and  
 7 privatization initiatives undertaken during the last 5 fiscal  
 8 years having aggregate expenditures exceeding \$10 million  
 9 during the term of the contract. The evaluation shall include  
 10 an assessment of contractor performance, a comparison of  
 11 anticipated service levels to actual service levels, and a  
 12 comparison of estimated savings to actual savings achieved.  
 13 Consolidated reports issued by the Department of Management  
 14 Services may be used to satisfy this requirement.

15           9. Supporting information for any proposed  
 16 consolidated financing of deferred-payment commodity contracts  
 17 including guaranteed energy performance savings contracts.  
 18 Supporting information must also include narrative describing  
 19 and justifying the need, baseline for current costs, estimated  
 20 cost savings, projected equipment purchases, estimated  
 21 contract costs, and return on investment calculation.

22           10. In accordance with the instructions for  
 23 legislative budget requests for new information technology  
 24 projects that exceed \$5 million in total cost, the statutory  
 25 reference of the existing or proposed substantive policy that  
 26 establishes and defines the project's governance structure,  
 27 scope, main business objectives that must be achieved, and  
 28 completion timeframes. Information technology budget requests  
 29 for the continuance of existing hardware and software  
 30 maintenance agreements, renewal of existing software licensing  
 31 agreements, or the replacement of desktop units with new

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1 technology that is similar to the technology currently in use  
2 are exempt from this requirement.

3       Section 13. Unless otherwise specified in this act,  
4 the Department of Management Services, established in s.  
5 20.22, Florida Statutes, shall assume the duties and  
6 responsibilities of the State Technology Office as set forth  
7 in ss. 215.322(2), 282.103, 282.104, 282.105, 282.106,  
8 282.107, 282.1095, 282.111, 282.21, 282.22, 288.1092,  
9 288.1093, 365.171, 365.172, 365.173, and 943.0313, Florida  
10 Statutes.

11       Section 14. Sections 186.022, 282.005, 282.101,  
12 282.102, 282.23, 282.3031, 282.3032, 282.3063, and 282.310,  
13 Florida Statutes, subsection (24) of section 287.057, Florida  
14 Statutes, and sections 288.1092 and 288.1093, Florida  
15 Statutes, are repealed.

16       Section 15. Paragraph (d) of subsection (2) of section  
17 215.95, Florida Statutes, is amended to read:

18       215.95 Financial Management Information Board.--

19       (2) To carry out its duties and responsibilities, the  
20 board shall by majority vote:

21       ~~(d) By March 1 of each year, approve a strategic plan~~  
22 ~~pursuant to the requirements set forth in s. 186.022(9).~~

23       Section 16. Paragraph (a) of subsection (3) of section  
24 215.96, Florida Statutes, is amended to read:

25       215.96 Coordinating council and design and  
26 coordination staff.--

27       (3) The coordinating council, assisted by the design  
28 and coordination staff, shall have the following duties,  
29 powers, and responsibilities pertaining to the Florida  
30 Financial Management Information System:

31       (a) To conduct such studies and to establish

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1 committees, workgroups, and teams to develop recommendations  
 2 for rules, policies, procedures, principles, and standards to  
 3 the board as necessary to assist the board in its efforts to  
 4 design, implement, and perpetuate a financial management  
 5 information system, including, but not limited to, the  
 6 establishment of common data codes, and the development of  
 7 integrated financial management policies that address the  
 8 information and management needs of the functional owner  
 9 ~~subsystems, and the development of a strategic plan pursuant~~  
 10 ~~to the requirements set forth in s. 186.022.~~ The coordinating  
 11 council shall make available a copy of the approved plan in  
 12 writing or through electronic means to each of the  
 13 coordinating council members, the fiscal committees of the  
 14 Legislature, and any interested person.

15 Section 17. Subsection (1) of section 282.103, Florida  
 16 Statutes, is amended to read:

17 282.103 SUNCOM Network; exemptions from the required  
 18 use.--

19 (1) There is created within the Department of  
 20 Management Services ~~State Technology Office~~ the SUNCOM Network  
 21 which shall be developed to serve as the state communications  
 22 system for providing local and long-distance communications  
 23 services to state agencies, political subdivisions of the  
 24 state, municipalities, state universities, and nonprofit  
 25 corporations pursuant to ss. 282.103-282.111 ~~ss.~~  
 26 ~~282.101-282.111~~. The SUNCOM Network shall be developed to  
 27 transmit all types of communications signals, including, but  
 28 not limited to, voice, data, video, image, and radio. State  
 29 agencies shall cooperate and assist in the development and  
 30 joint use of communications systems and services.

31 Section 18. Subsection (1) of section 282.107, Florida

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1 Statutes, is amended to read:

2 282.107 SUNCOM Network; criteria for usage.--

3 (1) The Department of Management Services State  
4 ~~Technology Office~~ shall periodically review the qualifications  
5 of subscribers using the state SUNCOM Network and shall  
6 terminate services provided to any facility not qualified  
7 pursuant to ss. 282.103-282.111 ~~ss. 282.101-282.111~~ or rules  
8 adopted hereunder. In the event of nonpayment of invoices by  
9 subscribers whose SUNCOM Network invoices are paid from  
10 sources other than legislative appropriations, such nonpayment  
11 represents good and sufficient reason to terminate service.

12 Section 19. Paragraph (b) of subsection (3) and  
13 subsection (4) of section 339.155, Florida Statutes, are  
14 amended to read:

15 339.155 Transportation planning.--

16 (3) FORMAT, SCHEDULE, AND REVIEW.--The Florida  
17 Transportation Plan shall be a unified, concise planning  
18 document that clearly defines the state's long-range  
19 transportation goals and objectives and documents the  
20 department's short-range objectives developed to further such  
21 goals and objectives. The plan shall include a glossary that  
22 clearly and succinctly defines any and all phrases, words, or  
23 terms of art included in the plan, with which the general  
24 public may be unfamiliar and shall consist of, at a minimum,  
25 the following components:

26 (b) A short-range component documenting the short-term  
27 objectives and strategies necessary to implement the goals and  
28 long-term objectives contained in the long-range component.  
29 The short-range component must define the relationship between  
30 the long-range goals and the short-range objectives, specify  
31 those objectives against which the department's achievement of

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1 such goals will be measured, and identify transportation  
2 strategies necessary to efficiently achieve the goals and  
3 objectives in the plan. It must provide a policy framework  
4 within which the department's legislative budget request, the  
5 strategic information resource management plan, and the work  
6 program are developed. The short-range component shall serve  
7 as the department's annual agency strategic plan pursuant to  
8 s. 186.021. The short-range component shall be developed  
9 ~~consistent with the requirements of s. 186.022 and consistent~~  
10 ~~with available and forecasted state and federal funds. In~~  
11 ~~addition to those entities listed in s. 186.022,~~ The  
12 short-range component shall also be submitted to the Florida  
13 Transportation Commission.

14 (4) ANNUAL PERFORMANCE REPORT.--The department shall  
15 develop an annual performance report evaluating the operation  
16 of the department for the preceding fiscal year. The report,  
17 ~~which shall meet the requirements of s. 186.022,~~ shall also  
18 include a summary of the financial operations of the  
19 department and shall annually evaluate how well the adopted  
20 work program meets the short-term objectives contained in the  
21 short-range component of the Florida Transportation Plan. ~~In~~  
22 ~~addition to the entities listed in s. 186.022,~~ This  
23 performance report shall ~~also~~ be submitted to the Florida  
24 Transportation Commission and the legislative appropriations  
25 and transportation committees.

26 Section 20. Subsection (7) of section 381.90, Florida  
27 Statutes, is amended to read:

28 381.90 Health Information Systems Council; legislative  
29 intent; creation, appointment, duties.--

30 (7) The council's duties and responsibilities include,  
31 but are not limited to, the following:

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1           ~~(a) By June 1 of each year, to develop and approve a~~  
 2 ~~strategic plan pursuant to the requirements set forth in s.~~  
 3 ~~186.022.~~

4           ~~(a)(b)~~ To develop a mission statement, goals, and plan  
 5 of action, ~~based on the guiding principles specified in s.~~  
 6 ~~282.3032,~~ for the identification, collection, standardization,  
 7 sharing, and coordination of health-related data across  
 8 federal, state, and local government and private-sector  
 9 entities.

10           ~~(b)(c)~~ To develop a review process to ensure  
 11 cooperative planning among agencies that collect or maintain  
 12 health-related data.

13           ~~(c)(d)~~ To create ad hoc issue-oriented technical  
 14 workgroups, on an as-needed basis, to make recommendations to  
 15 the council.

16           Section 21. Subsection (4) of section 403.973, Florida  
 17 Statutes, is amended to read:

18           403.973 Expedited permitting; comprehensive plan  
 19 amendments.--

20           ~~(4) The office may delegate to a Quick Permitting~~  
 21 ~~County designated under s. 288.1093 the responsibility for~~  
 22 ~~convening regional permit teams and, in consultation with the~~  
 23 ~~office, for certifying as eligible for expedited review~~  
 24 ~~projects that meet the criteria of subsection (3) and that are~~  
 25 ~~consistent with the economic goals of the county. In order to~~  
 26 ~~receive such a delegation, the Quick Permitting County must~~  
 27 ~~hold the public hearing required under subsection (7) and~~  
 28 ~~agree to execute a memorandum of agreement for each qualified~~  
 29 ~~project.~~

30           Section 22. Paragraph (h) of subsection (8) of section  
 31 408.05, Florida Statutes, is amended to read:

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1 408.05 Florida Center for Health Information and  
2 Policy Analysis.--

3 (8) STATE CONSUMER HEALTH INFORMATION AND POLICY  
4 ADVISORY COUNCIL.--

5 (h) The council's duties and responsibilities include,  
6 but are not limited to, the following:

7 1. To develop a mission statement, goals, and a plan  
8 of action ~~based on the guiding principles specified in s.~~  
9 ~~282.3032~~ for the identification, collection, standardization,  
10 sharing, and coordination of health-related data across  
11 federal, state, and local government and private sector  
12 entities.

13 2. To develop a review process to ensure cooperative  
14 planning among agencies that collect or maintain  
15 health-related data.

16 3. To create ad hoc issue-oriented technical  
17 workgroups on an as-needed basis to make recommendations to  
18 the council.

19 Section 23. Paragraph (b) of subsection (4) of section  
20 420.0003, Florida Statutes, is amended to read:

21 420.0003 State housing strategy.--

22 (4) IMPLEMENTATION.--The Department of Community  
23 Affairs and the Florida Housing Finance Corporation in  
24 carrying out the strategy articulated herein shall have the  
25 following duties:

26 (b) The agency strategic plan of the Department of  
27 Community Affairs, ~~prepared pursuant to the provisions of ss.~~  
28 ~~186.021 and 186.022~~, shall include specific goals, objectives,  
29 and strategies that implement the housing policies in this  
30 section and shall include the strategic plan for housing  
31 production prepared by the corporation pursuant to s. 420.511.

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1 Section 24. Subsection (2) of section 420.511, Florida  
2 Statutes, is amended to read:

3 420.511 Business plan; strategic plan; annual  
4 report.--

5 (2) The corporation, in equal partnership with the  
6 department, shall develop annually a strategic plan for the  
7 provision of affordable housing in Florida as part of the  
8 department's agency strategic plan required pursuant to  
9 chapter 186. In part, the plan shall include provisions that  
10 maximize the abilities of the corporation and the department  
11 to implement the state housing strategy established under s.  
12 420.0003, to respond to federal housing initiatives, and to  
13 develop programs in a manner that is more responsive to the  
14 needs of public and private partners. The plan shall be  
15 developed on a schedule consistent with that established by s.  
16 ~~ss. 186.021 and 186.022~~. For purposes of this act, the  
17 executive director or his or her designee shall serve as the  
18 corporation's representative to achieve a coordinated and  
19 integrated planning relationship with the department.

20 Section 25. Subsection (3) of section 943.08, Florida  
21 Statutes, is amended to read:

22 943.08 Duties; Criminal and Juvenile Justice  
23 Information Systems Council.--

24 (3) The council shall develop and approve a long-range  
25 program ~~strategic~~ plan pursuant to the requirements set forth  
26 in s. 186.021 ~~s. 186.022~~. Copies of the approved plan shall be  
27 transmitted, electronically or in writing, to the Executive  
28 Office of the Governor, the Speaker of the House of  
29 Representatives, the President of the Senate, and the council  
30 members.

31 Section 26. Paragraph (a) of subsection (2) of section

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1 1001.26, Florida Statutes, is amended to read:

2 1001.26 Public broadcasting program system.--

3 (2)(a) The Department of Education is responsible for  
4 implementing the provisions of this section ~~pursuant to s.~~  
5 ~~282.102~~ and may employ personnel, acquire equipment and  
6 facilities, and perform all duties necessary for carrying out  
7 the purposes and objectives of this section.

8 Section 27. For the 2007-2008 fiscal year, the sum of  
9 \$561,251 in recurring funds from the General Revenue Fund is  
10 appropriated and five full-time equivalent positions with an  
11 associated salary rate of \$342,577 are authorized to the  
12 Agency for Enterprise Information Technology to carry out the  
13 activities as provided in this act.

14 Section 28. For the 2007-2008 fiscal year, the sum of  
15 \$581,751 in recurring funds from the General Revenue Fund is  
16 appropriated and five full-time equivalent positions with an  
17 associated salary rate of \$342,577 are authorized to the  
18 Agency for Enterprise Information Technology to carry out the  
19 duties of information security as provided in this act.

20 Section 29. The Agency for Enterprise Information  
21 Technology, in collaboration with the Agency Chief Information  
22 Officers Council, may implement a program to provide  
23 professional development and training opportunities for agency  
24 chief information officers. For the 2007-2008 fiscal year, the  
25 sum of \$ \_\_\_\_\_ in recurring funds from the General Revenue Fund  
26 is appropriated to the Agency for Enterprise Information  
27 Technology to implement this program.

28 Section 30. (1) By July 1, 2009, the Agency for  
29 Enterprise Information Technology shall develop a plan and a  
30 business case analysis for the creation, exchange, and  
31 maintenance of documents by state agencies in an open format

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1 that is capable of being:

2       (a) Published without restrictions or royalties;

3       (b) Fully and independently implemented by multiple

4 software providers on multiple platforms without any

5 intellectual property reservations for necessary technology;

6 and

7       (c) Controlled by an open industry organization having

8 a well-defined inclusive process for evolution of the

9 standard.

10       (2) Each state agency must be able to receive

11 electronic documents in an open, extensible markup

12 language-based file format for office applications and may not

13 change documents to a file format used by only one vendor.

14       (3) The Agency for Enterprise Information Technology

15 shall develop rules for state agencies to follow in

16 determining whether existing electronic documents must be

17 converted to an open, extensible markup language-based file

18 format. In developing guidelines under this subsection, the

19 agency shall consider:

20       (a) The cost of converting electronic documents;

21       (b) The need for public access to the documents; and

22       (c) The expected storage life of the documents.

23       Section 31. This act shall take effect July 1, 2007.

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