

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB APC 14-02 Information Technology Governance

SPONSOR(S): Appropriations Committee

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Appropriations Committee		Potvin	Leznoff

SUMMARY ANALYSIS

The bill establishes an enterprise information technology (IT) governance structure within the executive branch. Specifically the bill:

- Creates the Agency for State Technology (AST) within the Department of Management Services (DMS) and establishes an executive director of the agency who serves as the state's chief information officer and is appointed by the Governor and confirmed by the Senate.
- Establishes eleven other positions within the AST to include a deputy executive director, a chief planning officer, six strategic planning coordinators, a chief operations officer, a chief information security officer, and a chief technology officer.
- Authorizes a type two transfer of all records, property, unexpended balances of appropriations, administrative authority, administrative rules in chapters 71A-1 and 71A-2, Florida Administrative Code, pending issues, and existing contracts of the Agency for Enterprise Information Technology to the AST.
- Authorizes a type two transfer of the Northwood and Southwood Shared Resource Centers from the DMS to the AST and creates the state data center.
- Defines the duties and responsibilities of the AST to include:
 - developing and implementing IT architecture standards,
 - establishing project management and oversight standards,
 - performing project oversight on IT projects with total costs of \$10 million or more,
 - providing operational management and oversight of the state data center,
 - identifying opportunities for standardization and consolidation of IT services that support common business functions,
 - recommending additional consolidations of agency data centers or computing facilities, and
 - performing project oversight on any cabinet agency IT project that has a total project cost of \$50 million or more and impacts another agency or agencies.
- Establishes the Technology Advisory Council within the AST for purposes of making recommendations to the executive director and defines the council's membership.
- Clarifies the IT security duties of the AST, individual agencies and the Florida Department of Law Enforcement's Cybercrime Office.
- Requires the AST to conduct a feasibility study and to provide recommendations managing state government data.
- Repeals sections of law relating to the AEIT, the NSRC and the SSRC; energy efficient standards for data centers; and statewide e-mail service.
- Appropriates a total of \$3.2 million and 27 full-time equivalent positions for Fiscal Year 2014-2015.

The bill is effective July 1, 2014, except as otherwise provided.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: pcb02.APC

DATE: 2/18/2014

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Agency for Enterprise Information Technology

Current Situation

In 2007, the Legislature created the Agency for Enterprise Information Technology (AEIT) to oversee policies for the design, planning, project management, and implementation of enterprise information technology (IT) services, to include IT security.¹ The AEIT is administratively housed within the Executive Office of the Governor, with the Governor and Cabinet as the head of the agency.

The AEIT is required to:²

- Submit an annual work plan for approval by the Governor and Cabinet.
- Monitor the implementation, delivery, and management of the enterprise IT services established in law.
- Make recommendations to the agency head and Legislature concerning other IT services that should be designed, delivered, and managed as enterprise IT services.
- Plan and establish policies for managing proposed statutorily authorized enterprise IT services.
- Biennially publish a long-term strategic enterprise IT plan.
- Perform duties related to enterprise IT services including the state data center system and IT security.
- Coordinate with the Division of Purchasing in the Department of Management Services (DMS) on the planning and acquisition of IT products and work with the division in the establishment of best practices for procuring such products.
- Develop IT standards.
- Submit a comprehensive transition plan for the consolidation of agency data centers into a primary data center.
- Annually provide the Legislature with recommendations for consolidating the purchase of IT commodities and contractual services.

In 2008, specific duties and responsibilities pertaining to IT security were assigned to the AEIT;³ but the Office of Information Security was still housed within the DMS. In 2009, the Office of Information Security was created within the AEIT,⁴ and 8.00 full-time equivalents were transferred from the DMS budget to the AEIT in the Fiscal Year 2009-2010 General Appropriations Act.

In 2012, the Legislature passed House Bill 5011 which abolished the AEIT, created a successor agency, and amended several provisions of law relating to the AEIT. The Governor vetoed House Bill 5011 on April 20, 2012; the effect of the veto was that AEIT remains in statute but is without funding and staff.

Effect of Changes

The bill repeals the section of law establishing the AEIT and creates a new section of statute that establishes the Agency for State Technology (AST). The bill:

- Authorizes a type two transfer of all records, property, unexpended balances of appropriations, administrative authority, administrative rules in chapters 71A-1 and 71A-2, Florida Administrative Code (FAC), pending issues, and existing contracts of the AEIT to the AST.

¹ 2007-105, Laws of Florida.

² Section 14.204, Florida Statutes.

³ 2008-116, Laws of Florida.

⁴ 2009-80, Laws of Florida.

- Except for those rules in chapters 71A-1 and 71A-2, FAC, nullifies all pending proceedings and rules adopted by the AEIT on the effective date of the bill.
- Authorizes the AST to have an executive director who is the state's chief information officer, appointed by the Governor and confirmed by the Senate.
- Establishes eleven other positions within the AST to include a deputy executive director, a chief planning officer, six strategic planning coordinators, a chief operations officer, a chief information security officer, and a chief technology officer.
- Establishes the Technology Advisory Council within the AST for purposes of making recommendations to the executive director and defines the council's membership.
- Authorizes a type two transfer of the Northwood Shared Resource Center (NSRC) and the Southwood Shared Resource Center (SSRC) from the DMS to the AST.
- Establishes the state data center which is comprised of the data center facilities located at the NSRC and the SSRC.

The bill provides duties and responsibilities for the AST that include:

- Developing and publishing IT policy for management of the state's IT resources.
- Developing and implementing IT architecture standards.
- Establishing project management and oversight standards for use by state agencies.
- Performing project oversight on IT projects with total costs of \$10 million or more.
- Providing operational management and oversight of the state data center to include:
 - Implementing industry standards and best practices for data center facilities, operations, maintenance and management processes.
 - Developing and implementing cost-recovery mechanisms that must comply with all applicable state and federal regulations.
 - Developing and implementing operating guidelines and procedures.
 - Annually conducting a market analysis to determine whether the state's approach to the provision of data center services is still in the best interest of the state.
- Identifying opportunities for standardization and consolidation of IT services that support common business functions.
- Recommending additional consolidations of agency data centers or computing facilities into the state data center.
- Performing project oversight on any cabinet agency IT project that has a total project cost of \$50 million or more and impacts another agency or agencies.
- Conducting annual assessments of state agencies to determine their compliance with all IT standards and guidelines developed by the AST.

The AST is also tasked with conducting a feasibility study that analyzes, evaluates, and provides recommendations for managing state government data. The study must be completed and submitted to the Governor, the President of the Senate and the Speaker of the House of Representatives by January 1, 2015.

The bill establishes the Technology Advisory Council within the AST pursuant to s. 20.052, F.S. The council is comprised of seven members; four members are appointed by the Governor, two of whom must be from the private sector; and one member each is appointed by the President of the Senate, the Speaker of the House of Representatives, and the Cabinet. All appointments are 4-year terms. The council may make recommendations to the executive director of the AST on matters pertaining to enterprise IT policies, standards, services and architecture. The executive director of the AST must consult with the council with regard to executing AST's duties that relate to statewide IT strategic planning and policy.

Agency Data Center Consolidations

Current Situation

In 2008, the Legislature established the state data center system that includes all primary data centers, and that provides an enterprise IT service as defined in s. 282.0041, F.S.⁵ As stated in statute, the intent is for all agency data centers and computing facilities to be consolidated into a primary data center by 2019.⁶ Beginning December 1, 2009, and annually thereafter, the AEIT was directed to identify at least two agency data centers or computing facilities for consolidation into a primary data center.⁷

The Legislature initiated the first phase of data center consolidations in 2009 with proviso included in the Fiscal Year 2009-2010 General Appropriations Act. The AEIT submitted its *Recommendation of Non-primary Data Centers for Consolidation into Primary Data Centers by 2019* report on December 23, 2010, which provided recommendations for the consolidation of all remaining agency data centers.

In 2011, the Legislature codified in statute the consolidation recommendations included in AEIT's December 23, 2010 report and directed the AEIT to provide to the Governor and the Legislature by October 1st of each year any recommended changes relating to the schedule.⁸

In 2012, the Legislature amended the agency data center consolidation schedule and provided an exemption from data center consolidation to certain agencies.⁹ Additionally, the Implementing Bill for the Fiscal Year 2013-2014 General Appropriations Act¹⁰ modifies the data center consolidation schedule in s. 282.201(4), F.S.

Agencies scheduled for consolidation are required to submit a transition plan to the appropriate primary data center and the AEIT by July 1st of the fiscal year before the fiscal year the scheduled consolidation will occur. Additionally, each primary data center must submit a transition plan to the AEIT, Executive Office of the Governor, and the chairs of the legislative appropriations committees for absorbing the transfer of agency data center resources into their data center. State agencies are required to execute a new or update an existing service-level agreement within 60 days after the specified consolidation date.

Effect of Changes

The bill amends the agency data center consolidation schedule by:

- Deleting obsolete consolidation dates.
- Deleting consolidations scheduled in Fiscal Years 2014-2015 and 2015-2016.
- Exempting the Department of Transportation's regional traffic management centers and the office of toll operations from data center consolidation.

The bill also deletes the requirement for primary data centers to submit transition plans and clarifies that state agencies must execute a new or update an existing service-level agreement within 60 days after the commencement of the services at the state data center.

Governance Structure of the Northwood and Southwood Shared Resource Centers

Current Situation

In 2008, the Legislature statutorily created the NSRC and the SSRC and required each center to be headed by a board of trustees as defined in s. 20.03, F.S.¹¹ The board members are appointed by the

⁵ 2008-116, Laws of Florida.

⁶ *Id.*

⁷ *Id.*

⁸ 2011-50, Laws of Florida.

⁹ 2012-142, Laws of Florida.

¹⁰ 2013-41, Laws of Florida.

¹¹ 2008-116, Laws of Florida.

agency head or chief executive officer of the centers' representative customer entities and serve at the pleasure of the appointing customer entity. The executive director of the AEIT is an advisor to the boards.

Both boards of trustees are authorized to employ an executive director for the NSRC and for the SSRC, pursuant to s. 20.05, F.S., with the executive directors serving at the pleasure of the boards. The executive directors are responsible for the daily operations of the NSRC and the SSRC and for ensuring that the NSRC and the SSRC comply with all laws and rules governing their operations. The boards are responsible for establishing an annual performance evaluation process for the executive directors that includes each director being reconfirmed by the board biennially.

The duties and additional responsibilities of the boards of trustees pertaining to the management oversight of the centers are established in statute.¹²

In 2009, the Legislature clarified the appointment process for board members to be based on when an agency is scheduled to consolidate its agency data center or computing facility into either the NSRC or the SSRC.¹³ The revised process is based on the projected usage rate of the customer entity for the upcoming fiscal year. Agencies with a projected usage rate of 4 percent or greater during the fiscal year shall have one trustee on the board with the total number of votes for each trustee apportioned based upon the agency's share of the total usage.

The NSRC and the SSRC are authorized to enter into memoranda of understanding with the agency where they are administratively located;¹⁴ the Fiscal Year 2013-2014 General Appropriations Act appropriates \$125,000 to both the NSRC and the SSRC for the provision of the administrative services provided by the DMS. Additionally, both the NSRC and the SSRC combined have approximately 61.25 administrative support staff positions¹⁵.

Effect of Changes

The bill repeals the sections of law that establish the NSRC and the SSRC and authorizes a type two transfer of both the NSRC and the SSRC from the DMS to the AST. The bill establishes the state data center within the AST to provide data center services that are either hosted on premises or externally through a third-party provider. The state data center must comply with all applicable state and federal laws, regulations and policies. The state data center's duties include:

- Entering into service level agreements with each customer entity.
- Developing and implementing a business continuity plan and a disaster recovery plan and annually conducting a live exercise of each plan.
- Maintaining the performance of the state data center.
- For purposes of chapter 273, being the custodian of resources and equipment consolidated and located within the state data center.
- Assuming administrative access rights to resources and equipment consolidated into the state data center.

The section of statute authorizing the establishment of the boards of trustees is repealed.

The bill also requires the director of the state data center to establish a consolidated administrative support structure that is responsible for the provision of financial management, procurement, transactions involving real or personal property, human resources, and operational support for the state data center.

Information Technology Security

¹² Sections 282.203(2) and (3), Florida Statutes.

¹³ 2009-80, Laws of Florida.

¹⁴ Section 282.203(1)(k), Florida Statutes.

¹⁵ Spreadsheets provided by the NSRC and the SSRC that identify total number of administrative overhead positions.

Current Situation

Section 282.318, F.S., establishes IT security as an enterprise IT service as defined in s. 282.0041, F.S., and authorizes the AEIT to establish rules and guidelines for ensuring an appropriate level of security for all data and IT resources for executive branch agencies. Additionally, to assist the AEIT in carrying out its IT security responsibilities, each agency head must designate an information security manager to administer the security program of the agency. As part of this program, each state agency must (1) annually submit to the AEIT its strategic and operational information security plans that must be developed pursuant to the guidelines established by the AEIT and (2) conduct and update every three years a comprehensive risk analysis to determine the security threats to the data, information and IT resources of the state agency.

One specific duty performed by the AEIT was to receive notification and potentially address suspected or confirmed IT security threats or incidents identified at the SSRC and the NSRC.

In 2012, the Legislature passed House Bill 5011 which abolished AEIT, created a successor agency, and funded the successor agency in the bill. The Governor vetoed House Bill 5011 on April 20, 2012, which resulted in the AEIT remaining in statute but without funding or staff.

In the absence of the AEIT, there was a need to address the issue of how suspected or confirmed IT security threats or incidents at the NSRC and the SSRC would be handled. In September 2012, members of the Florida Department of Law Enforcement's (FDLE) Computer Crime Center teamed with other agencies to create the Cyber Intelligence Group (CIG) for the purpose of receiving cyber information, researching and analyzing such information, and forwarding it to the affected and interested parties. The FDLE has an agreement with the Multi-State Information Sharing and Analysis Center (MS-ISAC) to monitor and review state Internet traffic. The MS-ISAC analyzes information from that traffic, combined with intelligence from several other sources, and provides this information to the FDLE's Cybercrime Office when an issue requires action or investigation. The MS-ISAC monitors the NSRC and the SSRC and reports any suspected or confirmed IT security threats or incidents to the FDLE for handling by the CIG.

Effect of Changes

The bill codifies in statute the procedures and protocol established by the CIG regarding the handling of suspected or confirmed IT security threats or incidents at the state data center and specifically clarifies the duties and responsibilities of the FDLE Cybercrime Office to include:

- Monitoring IT resources and collecting and analyzing potential threats regarding potential cyber-security incidents.
- Investigating violations of state law pertaining to suspected or confirmed cyber-security incidents and assisting in their response and recovery.
- Providing security awareness training and information to state agency employees.

The bill generally replaces the AEIT with the AST in regards to existing IT security duties. The bill supplements existing duties to require the AST to publish, for use by state agencies, an IT security framework that includes a risk assessment methodology, protection procedures, threat detection, data recovery, procedures for limiting unauthorized access to IT resources, and establishing asset management procedures.

Additionally, the bill requires the agency head-designated information security manager to report directly to the agency head for purposes of carrying out his/her IT security duties and clarifies the eligible recipients of IT security audits, policies and procedures, and risk assessments.

Information Technology Procurement

Current Situation

Current statute¹⁶ authorizes the AEIT to assist the DMS with using aggregate buying methodologies whenever possible and with procurement negotiations for hardware and software products and services in order to improve the efficiency and reduce the cost of IT services.

Section 287.056, F.S., requires state agencies to purchase commodities and contractual services from purchasing agreements established and state term contracts procured, pursuant to s. 287.057, F.S., by the DMS. State agencies are authorized to use a request for a quote to obtain written pricing or services information from a state term contract vendor for commodities and contractual services available on state term contract from that vendor.

Current the DMS has executed seven different state term contracts in the “IT Hardware and Software” category¹⁷ as follows:

Number	Name	Start Date	End Date
250-000-09-1	Network Infrastructure-Equipment and Services	09/07/2008	09/07/2014
252-001-09-1	Microsoft License, Maintenance and Services	03/31/2009	03/30/2015
252-500-09-1	Mainframe and Other Software	05/13/2009	05/12/2017
600-000-11-1	Multifunction Products, Printers, Facsimile Equipment, Scanners, Related Software, Supplies and Services	08/03/2010	08/020/2014
680-370-07-1	Live Capture Electronic Fingerprinting Equipment	11/28/2007	05/28/2014
880-000-09-1	Audio & Video Equipment and Accessories	02/18/2009	02/17/2015
991-268-11-1	IT Disaster Recovery Services	08/09/2010	08/08/2015

Each of the seven different state term contracts listed above have multiple contractors, i.e., the Network Infrastructure-Equipment and Services state term contract has 27 contractors.

The DMS also has executed the following state term contract in the “IT consultant” category¹⁸ that has over 275 contractors.

Number	Name	Start Date	End Date
973-561-10-1	Information Technology (IT) Consulting Services	09/14/2009	08/31/2014

Effect of Changes

The bill requires the AST to advise and collaborate with the DMS in conducting competitive solicitations for state term contracts for IT commodities, consultant services or staff augmentation contractual services.

The bill establishes a new section of law that requires all state term contracts for IT commodities executed after July 1, 2014, to have a term that does not exceed 36 months; the DMS may execute a state term contract for IT commodities that exceeds the 36-month requirement if the secretary for the DMS and the executive director of the AST certify to the Executive Office of the Governor that a longer contract term is in the best interest of the state. The bill also requires all state term contracts for IT consultant services or staff augmentation contractual services executed after September 1, 2015, to have a term that does not exceed 36 months.

¹⁶ Section 14.024(3)(g), Florida Statutes.

¹⁷ http://www.dms.myflorida.com/contract_search?postBack=true

¹⁸ http://www.dms.myflorida.com/business_operations/state_purchasing/vendor_information/state_contracts_and_agreements/state_term_contracts/information_technology_it_consulting_services

Repealed Sections of Law

Current Situation

Section 14.204, F.S., establishes the AEIT and defines the agency's duties and responsibilities.

Section 282.0055, F.S., relates to the assignment of IT and assigns the responsibility for the design, planning, project management, and implementation of enterprise IT services for executive branch agencies to the AEIT. The supervision, design, delivery, and management of agency information technology remain the responsibility and control of the individual state agencies.

Section 282.0056, F.S., requires the AEIT to develop an annual work plan within 60 days after the start of a fiscal year that describes the activities that AEIT intends to undertake that fiscal year. The work plan must be presented at a public meeting and approved by the Governor and Cabinet and then submitted to the Speaker of the House of Representatives and the President of the Senate. The AEIT is allowed to amend the work plan as needed, subject to approval by the Governor and Cabinet.

Section 282.203, F.S., establishes the duties of the primary data centers and authorizes that each center shall be headed by a board of trustees as defined in s. 20.03, F.S.; also defines the membership of each board of trustees and its duties.

Section 282.204, F.S., establishes the NSRC as a primary data center.

Section 282.205, F.S., establishes the SSRC as a primary data center.

Section 282.33, F.S., requires the AEIT by July 1, 2009, to define objective standards for measuring data center energy consumption and efficiency and calculating total cost of ownership of energy-efficient information technology products. Additionally, it requires AEIT beginning December 31, 2010, and every 3 years thereafter, to submit to the Legislature recommendations for reducing energy consumption and improving the energy efficiency of the primary data centers.

Section 282.34, F.S., establishes a statewide e-mail service that must be designed to meet the needs of all executive branch agencies.

Effect of Changes

Repeals the following sections of law:

- s. 14.204, F.S., relating to the establishment of the AEIT;
- s. 282.0055, F.S., relating to the assignment of information technology;
- s. 282.0056, F.S., relating to the development of work and implementation plans and policy recommendations;
- s. 282.203, F.S., relating to the establishment of the primary data centers;
- s. 282.204, F.S., relating to the establishment of the NSRC;
- s. 282.205, F.S., relating to the establishment of the SSRC;
- s. 282.33, F.S., relating to energy efficiency standards for data centers; and
- s. 282.34, F.S., relating to statewide e-mail service.

B. SECTION DIRECTORY:

Section 1. Authorizes a type two transfer of the records, property, pending issues and existing contracts, administrative authority, administrative rules in chapters 71A-1 and 71A02, Florida Administrative Code (FAC), in effect as of November 15, 2010, trust funds, and unexpended balances of appropriations, allocations, and other funds of the Agency of Enterprise Information (AEIT) to the new Agency for State Technology (AST). Except for those rules in chapters 71A-1 and 71A-2, FAC, nullifies any other rules adopted by the AEIT.

Section 2. Authorizes a type two transfer of the Northwood Shared Resource Center (NSRC) from the Department of Management Services (DMS) to the AST and requires all binding contracts or interagency agreements entered into by the NSRC or an entity or agent of the NSRC and any other agency, entity, or person to continue as binding contracts or agreement with the AST.

Section 3. Authorizes a type two transfer of the Southwood Shared Resource Center (SSRC) from the DMS to the AST and requires all binding contracts or interagency agreements entered into by the SSRC or an entity or agent of the SSRC and any other agency, entity, or person to continue as binding contracts or agreement with the AST.

Section 4. Repeals s. 14.204, F.S., relating to the AEIT.

Section 5. Amends s. 20.055, F.S., by adding the AST in the definition of “state agency” for purposes of creating an office of inspector general within the AST.

Section 6. Creates s. 20.61, F.S., by creating the AST within the DMS, establishing the executive director as the state’s chief information officer and eleven other positions within the AST, and assigning the duties and responsibilities of the AST.

Section 7. Amends s. 215.96, F.S., by adding the executive director of the AST as a member of the coordinating council within the Financial Management Information Board.

Section 8. Amends s. 216.023, F.S., by requiring the project governance structure for information technology (IT) projects to incorporate the applicable project management and oversight standards established in s. 282.0051, F.S.

Section 9. Amends s. 282.0041, F.S., by deleting obsolete definitions, amending existing definitions, and creating definitions for “agency data center”, “disaster recovery”, “event”, “incident”, “information technology resources”, “information technology security”, “project oversight”, “stakeholder”, and “variance”.

Section 10. Creates s. 282.0051, F.S., by defining the powers, duties, and functions of the AST.

Section 11. Repeals s. 282.0055, F.S., relating to the assignment of IT; and s. 282.0056, F.S., relating to the development of work and implementation plans.

Section 12. Amends s. 282.201, F.S., by establishing the state data center within the AST; defining the state data center’s duties and responsibilities; modifying the agency data center consolidation schedule; exempting the Department of Transportation’s regional traffic management centers and the Office of Toll Operations from data center consolidation; and aligning terminology with changes made in s. 282.0051, F.S.

Section 13. Repeals s. 282.203, F.S., relating to the primary data centers and their governance structure and duties; s. 282.204, F.S., relating to the establishment of the NSRC as a primary data center; and s. 282.205, F.S., relating to the establishment of the SSRC as a primary data center.

Section 14. Amends s. 282.318, F.S., by defining the IT security duties and responsibilities of the AST, clarifying the responsibilities of agency heads in the administration of their agency’s security program, requiring the agency information security manager to report directly to the agency head for purposes of carrying out his/her IT security duties, and aligning terminology with changes made in s. 282.0051, F.S.

Section 15. Repeals s. 282.33, F.S., relating to energy efficiency standards for data centers.

Section 16. Repeals s. 282.34, F.S., relating to the statewide e-mail service.

Section 17. Creates s. 287.0591, F.S., relating to state term contracts for IT commodities, consultant services, or staff augmentation contractual services and requiring the DMS to consult with the AST in the solicitation of these state term contracts.

- Section 18. Amends s. 943.0415, F.S., by defining the duties and responsibilities of the Florida Department of Law Enforcement's Cybercrime Office pertaining to cyber-security to include IT security.
- Section 19. Amends s. 1004.649, F.S., relating to the duties of the Northwest Regional Data Center for purposes of the center's state agency customers.
- Section 20. Amends s. 17.0315, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 21. Amends s. 110.25, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 22. Amends s. 215.322, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 23. Amends s. 287.057, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 24. Amends s. 327.301, F.S., by correcting a cross reference.
- Section 25. Amends s. 445.011, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 26. Amends s. 445.045, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 27. Amends s. 668.50, F.S., aligning terminology with changes made in s. 282.0051, F.S.
- Section 28. Authorizes the AST to conduct a feasibility study and to provide recommendations for managing state government data and requires the AST to submit a report on the feasibility study by January 1, 2015, to the Governor, the President of the Senate and the Speaker of the House of Representatives.
- Section 29. Creates the state data center task force effective June 30, 2014, to assist with the transfer of the NSRC and the SSRC to the AST and the transition to the state data center. Task force is abolished June 30, 2015.
- Section 30. For Fiscal Year 2014-2015, \$2,944,539 in recurring funds and \$103,045 in nonrecurring funds are appropriated from the General Revenue Fund to the AST and 25 full-time equivalent positions and associated salary rate of 1,808,373 are authorized for purposes of implementing this act.
- Section 31. Establishes a Data Center Administration budget entity within the AST with appropriations to this budget entity reflecting the indirect data center costs allocated to customer agencies.
- Section 32. For Fiscal Year 2014-2015, the NSRC budget entity is created within the AST and effective July 1, 2014, the appropriations provided for the NSRC in the Fiscal Year 2014-2015 General Appropriations Act is transferred to the NSRC budget entity within the AST.
- Section 33. For Fiscal Year 2014-2015, the SSRC budget entity is created within the AST and effective July 1, 2014, the appropriations provided for the SSRC in the Fiscal Year 2014-2015 General Appropriations Act is transferred to the SSRC budget entity within the AST.
- Section 34. For Fiscal Year 2014-2015, \$144,870 in recurring funds and \$7,546 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Law Enforcement, and 2 full-time equivalent positions and associated salary rate of 93,120 are authorized for purposes of implementing the sections of this act related to cybercrime.
- Section 35. Beginning with Fiscal Year 2015-2016, the State Data Center budget entity is created within the AST with appropriations made to this budget entity reflecting the direct data center costs allocated to customer agencies.
- Section 36. Provides effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments

2. Expenditures:

See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill limits the term of state term contracts for information technology commodities, consultant services, or staff augmentation contractual services.

D. FISCAL COMMENTS:

The bill appropriates \$3.2 million and 27 full-time equivalent positions for Fiscal Year 2014-2015. This total appropriation includes:

- \$2,944,539 in recurring general revenue funds and \$103,045 in nonrecurring general revenue funds and 25 full-time equivalent positions and associated salary rate of 1,808,373 to the AST for purposes of implementing its assigned duties, responsibilities, and functions.
- \$144,870 in recurring general revenue funds and \$7,546 in nonrecurring general revenue funds and 2 full-time equivalent positions and associated salary rate of 93,120 to the Florida Department of Law Enforcement for purposes of implementing additional IT security duties of its Cybercrime Office.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: None

2. Other: None

B. RULE-MAKING AUTHORITY: The bill authorizes the AST to adopt rules to implement its duties as defined in s. 282.0051, F.S. Additionally, the AST is provided specific rule-making authority:

- Relating to the operation of the state data center, including, but not limited to, budgeting and accounting procedures, cost-recovery methodologies, and operating procedures.
- Relating to IT security that safeguard an agency's data, information, and information technology resources.

C. DRAFTING ISSUES OR OTHER COMMENTS: None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES