

A bill to be entitled

An act relating to SUNCOM services; amending s. 282.0041, F.S.; providing and revising definitions; amending s. 282.702, F.S.; revising the powers and duties of the Department of Management Services; requiring the department to establish a network security perimeter and implement the Florida Information Resource Network; requiring the department to make certain network information available on its website and provide reports to the Governor and Legislature; amending ss. 282.703, 282.704, 282.705, 282.706, 282.707, and 282.708, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsections (16) through (28) of section 282.0041, Florida Statutes, are amended to read:

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

(16) "Network security perimeter" means the network core routers, state firewalls, and enterprise intrusion prevention systems implemented to control access into internal closed user networks from nonauthorized sources.

~~(17)-(16)~~ "Performance metrics" means the measures of an organization's activities and performance.

27            (18)~~(17)~~ "Primary data center" means a data center that is  
 28 a recipient entity for consolidation of nonprimary data centers  
 29 and computing facilities and that is established by law.

30            (19)~~(18)~~ "Project" means an endeavor that has a defined  
 31 start and end point; is undertaken to create or modify a unique  
 32 product, service, or result; and has specific objectives that,  
 33 when attained, signify completion.

34            (20)~~(19)~~ "Risk analysis" means the process of identifying  
 35 security risks, determining their magnitude, and identifying  
 36 areas needing safeguards.

37            (21)~~(20)~~ "Service level" means the key performance  
 38 indicators (KPI) of an organization or service which must be  
 39 regularly performed, monitored, and achieved.

40            (22)~~(21)~~ "Service-level agreement" means a written  
 41 contract between a data center and a customer entity which  
 42 specifies the scope of services provided, service level, the  
 43 duration of the agreement, the responsible parties, and service  
 44 costs. A service-level agreement is not a rule pursuant to  
 45 chapter 120.

46            (23)~~(22)~~ "Standards" means required practices, controls,  
 47 components, or configurations established by an authority.

48            (24)~~(23)~~ "SUNCOM Network" means the enterprise data  
 49 transport service designed and procured by the department to  
 50 meet the needs of the state and state agencies ~~state enterprise~~  
 51 ~~telecommunications system that provides all methods of~~  
 52 ~~electronic or optical telecommunications beyond a single~~

53 ~~building or contiguous building complex and used by entities~~  
 54 ~~authorized as network users under this part.~~

55 (25) "SUNCOM services" means the portfolio of  
 56 telecommunications services that are designed, procured, and  
 57 delivered by the department to meet the needs of state agencies.

58 ~~(26)-(24)~~ "Telecommunications" means the transmission,  
 59 propagation, and reception of analog or digital information and  
 60 data science and technology of communication at a distance,  
 61 including the electronic systems, software, connections, and  
 62 components used in the process of sending or receiving  
 63 information used in the transmission or reception of  
 64 information.

65 ~~(27)-(25)~~ "Threat" means any circumstance or event that may  
 66 cause harm to the integrity, availability, or confidentiality of  
 67 information technology resources.

68 ~~(28)-(26)~~ "Total cost" means all costs associated with  
 69 information technology projects or initiatives, including, but  
 70 not limited to, value of hardware, software, service,  
 71 maintenance, incremental personnel, and facilities. Total cost  
 72 of a loan or gift of information technology resources to an  
 73 agency includes the fair market value of the resources.

74 ~~(29)-(27)~~ "Usage" means the billing amount charged by the  
 75 primary data center, less any pass-through charges, to the  
 76 customer entity.

77 ~~(30)-(28)~~ "Usage rate" means a customer entity's usage or  
 78 billing amount as a percentage of total usage.

79 Section 2. Subsections (1), (2), (12), and (13) of section  
 80 282.702, Florida Statutes, are amended, and subsections (16) and  
 81 (17) are added to that section, to read:

82 282.702 Powers and duties.—The Department of Management  
 83 Services shall have the following powers, duties, and functions:

84 (1) To publish electronically the portfolio of SUNCOM  
 85 services available from the department, including pricing  
 86 information; the policies and procedures governing usage of  
 87 available services; and a forecast of the department's  
 88 priorities for each SUNCOM ~~telecommunications~~ service.

89 (2) To adopt technical standards by rule for SUNCOM  
 90 services ~~the state telecommunications network~~ which ensure the  
 91 interconnection and operational security of computer networks,  
 92 telecommunications, and information systems of agencies.

93 (12) ~~Unless delegated to the agencies by the department,~~  
 94 To manage and control the transmission of information  
 95 transferred through, but not intercept or interpret,  
 96 telecommunications within ~~the~~ SUNCOM services ~~Network~~ by:

97 (a) Establishing technical standards to physically  
 98 interface with ~~the~~ SUNCOM services ~~Network~~.

99 (b) Specifying how telecommunications are transmitted  
 100 within ~~the~~ SUNCOM services ~~Network~~.

101 (c) Controlling the routing of telecommunications within  
 102 the SUNCOM Network.

103 (d) Establishing standards, policies, and procedures for  
 104 access to and the security of the SUNCOM Network.

105 (e) Ensuring orderly and reliable telecommunications  
 106 services in accordance with the service level agreements  
 107 executed with state agencies.

108 (13) To plan, design, and conduct experiments for  
 109 telecommunications services, equipment, and technologies, and to  
 110 implement enhancements to SUNCOM services ~~in the state~~  
 111 ~~telecommunications network~~ if in the public interest and cost-  
 112 effective. Funding for such experiments must be derived from  
 113 SUNCOM services ~~Network service~~ revenues and may not exceed 2  
 114 percent of the amount to pay telecommunications service  
 115 providers in annual budget for the SUNCOM Network for any fiscal  
 116 year ~~or as provided in the General Appropriations Act~~. New  
 117 services offered as a result of this subsection may not affect  
 118 existing rates for facilities or services.

119 (16) To establish a network security perimeter as defined  
 120 in s. 282.0041 to prevent the disruption of information  
 121 transported through the SUNCOM Network and to prevent  
 122 unauthorized interception or interruption of information  
 123 transported through the SUNCOM Network.

124 (17) (a) To design, engineer, implement, manage, and  
 125 operate through state ownership, commercial leasing, contracted  
 126 services, or some combination thereof, the Florida Information  
 127 Resource Network pursuant to s. 1001.271.

128 (b) For those school districts using the Florida  
 129 Information Resource Network, the department must submit the  
 130 appropriate federal forms for receiving applicable federal

131 universal service support funds available through the Schools  
 132 and Libraries Program, commonly cited as the E-rate program, of  
 133 the federal Universal Service Fund administered by the Universal  
 134 Service Administrative Company under direction of the Federal  
 135 Communications Commission.

136 (c) For purposes of implementing and managing the Florida  
 137 Information Resource Network, the department must comply with  
 138 all applicable federal service provider requirements issued by  
 139 the Schools and Libraries Program of the federal Universal  
 140 Service Fund, as well as all other applicable federal laws,  
 141 regulations, and policies regarding the security and privacy of  
 142 student records and data.

143 (d) The department shall develop and make publicly  
 144 available on its website an interactive geographical information  
 145 system map at the census tract level that will monitor each  
 146 school district's deployment of the Florida Information Resource  
 147 Network. Beginning January 1, 2015, the department shall provide  
 148 quarterly reports to the Governor, the President of the Senate,  
 149 and the Speaker of the House of Representatives on the  
 150 implementation status of the Florida Information Resource  
 151 Network.

152 Section 3. Section 282.703, Florida Statutes, is amended  
 153 to read:

154 282.703 SUNCOM services Network; exemptions from the  
 155 required use.—

156 (1) ~~The~~ SUNCOM services, as defined in s. 282.0041, are

157 available ~~Network is established within the department as the~~  
 158 ~~state enterprise telecommunications system for providing local~~  
 159 ~~and long distance communications services~~ to state agencies,  
 160 political subdivisions of the state, municipalities, and  
 161 nonprofit corporations pursuant to this part. ~~The~~ SUNCOM  
 162 services ~~Network~~ shall be developed to transmit all types of  
 163 telecommunications signals, including, but not limited to,  
 164 voice, data, video, image, and radio. State agencies shall  
 165 cooperate and assist in the development and joint use of SUNCOM  
 166 ~~telecommunications systems and services.~~

167 (2) The department shall design, engineer, implement,  
 168 manage, and operate through state ownership, commercial leasing,  
 169 contracted services, or some combination thereof, the  
 170 facilities, equipment, and contracts providing SUNCOM ~~Network~~  
 171 services, and shall develop a system of equitable billings and  
 172 charges for such ~~telecommunications~~ services.

173 (3) The department shall own, manage, and establish  
 174 standards for the telecommunications addressing and numbering  
 175 plans for ~~the~~ SUNCOM services ~~Network~~. This includes  
 176 distributing or revoking numbers and addresses to authorized  
 177 users of SUNCOM services ~~the network~~ and delegating or revoking  
 178 the delegation of management of subsidiary groups of numbers and  
 179 addresses to authorized users of SUNCOM services ~~the network~~.

180 (4) The department shall maintain a directory of  
 181 information and services which provides the names, phone  
 182 numbers, and e-mail addresses for employees, agencies, and

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183 network devices that are served, in whole or in part, by ~~the~~  
184 SUNCOM services ~~Network~~. State agencies and political  
185 subdivisions of the state shall cooperate with the department by  
186 providing timely and accurate directory information in the  
187 manner established by the department.

188 (5) All state agencies shall use ~~the~~ SUNCOM services  
189 ~~Network~~ for agency telecommunications services as the services  
190 become available; however, an agency is not relieved of  
191 responsibility for maintaining telecommunications services  
192 necessary for effective management of its programs and  
193 functions. The department may provide SUNCOM ~~such communications~~  
194 services to a state university if requested by the university.

195 (a) If a SUNCOM ~~Network~~ service does not meet the  
196 telecommunications requirements of an agency, the agency must  
197 notify the department in writing and detail the requirements for  
198 that service. If the department is unable to meet an agency's  
199 requirements by enhancing the SUNCOM ~~Network~~ service, the  
200 department may grant the agency an exemption from the required  
201 use of specified SUNCOM ~~Network~~ services.

202 (b) Unless an exemption is ~~has been~~ granted by the  
203 department, ~~effective October 1, 2010,~~ all customers of the a  
204 state ~~primary~~ data center, excluding state universities, must  
205 use the shared SUNCOM ~~Network~~ ~~telecommunications~~ services  
206 connecting the state ~~primary~~ data center to SUNCOM services for  
207 all telecommunications needs in accordance with department  
208 rules.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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209 1. Upon discovery of customer noncompliance with this  
 210 paragraph, the department shall provide the affected customer  
 211 with a schedule for transferring to the shared  
 212 ~~telecommunications services provided by the~~ SUNCOM Network and  
 213 an estimate of all associated costs. The state primary data  
 214 centers and their customers shall cooperate with the department  
 215 to accomplish the transfer.

216 2. Customers may request an exemption from this paragraph  
 217 in the same manner as authorized in paragraph (a).

218 (6) This section may not be construed to require a state  
 219 university to use the SUNCOM ~~Network communication~~ services.

220 Section 4. Section 282.704, Florida Statutes, is amended  
 221 to read:

222 282.704 Use of ~~state~~ SUNCOM services ~~Network~~ by  
 223 municipalities.—Any municipality may request the department to  
 224 provide any or all of the SUNCOM ~~Network's portfolio of~~  
 225 ~~communications~~ services upon such terms and conditions as the  
 226 department may establish. The requesting municipality shall pay  
 227 its share of installation and recurring costs according to the  
 228 published rates for the SUNCOM ~~Network~~ services and as invoiced  
 229 by the department. Such municipality shall also pay for any  
 230 requested modifications to existing SUNCOM ~~Network~~ services, if  
 231 any charges apply.

232 Section 5. Subsections (1), (2), (3), and (4) of section  
 233 282.705, Florida Statutes, are amended to read:

234 282.705 Use of ~~state~~ SUNCOM services ~~Network~~ by nonprofit

235 corporations.—

236 (1) The department shall provide a means whereby private  
 237 nonprofit corporations under contract with state agencies or  
 238 political subdivisions of the state may use the ~~state~~ SUNCOM  
 239 services Network, subject to the limitations in this section. In  
 240 order to qualify to use the ~~state~~ SUNCOM services Network, a  
 241 nonprofit corporation shall:

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

245 (b) Receive only a small portion of its total revenues  
 246 from any source other than a state agency, a municipality, or a  
 247 political subdivision during the time the SUNCOM ~~Network~~  
 248 services are requested.

249 (2) Each nonprofit corporation seeking authorization to  
 250 use the ~~state~~ SUNCOM services Network shall provide to the  
 251 department, upon request, proof of compliance with subsection  
 252 (1).

253 (3) Nonprofit corporations established pursuant to general  
 254 law and an association of municipal governments which is wholly  
 255 owned by the municipalities are eligible to use the ~~state~~ SUNCOM  
 256 services Network, subject to the terms and conditions of the  
 257 department.

258 (4) Institutions qualified to participate in the William  
 259 L. Boyd, IV, Florida Resident Access Grant Program pursuant to  
 260 s. 1009.89 are eligible to use the ~~state~~ SUNCOM services

261 ~~Network~~, subject to the terms and conditions of the department.  
 262 Such entities are not required to satisfy the other criteria of  
 263 this section.

264 Section 6. Section 282.706, Florida Statutes, is amended  
 265 to read:

266 282.706 Use of SUNCOM services ~~Network~~ by libraries.—The  
 267 department may provide the SUNCOM ~~Network~~ services to any  
 268 library in the state, including libraries in public schools,  
 269 community colleges, state universities, and nonprofit private  
 270 postsecondary educational institutions, and libraries owned and  
 271 operated by municipalities and political subdivisions. This  
 272 section may not be construed to require a state university  
 273 library to use the SUNCOM ~~Network~~ services.

274 Section 7. Subsections (1) and (2) of section 282.707,  
 275 Florida Statutes, are amended to read:

276 282.707 SUNCOM services ~~Network~~; criteria for usage.—

277 (1) The department and customers served by the department  
 278 shall periodically review the qualifications of subscribers  
 279 using the ~~state~~ SUNCOM services ~~Network~~ and terminate services  
 280 provided to a facility not qualified under this part or rules  
 281 adopted hereunder. In the event of nonpayment of invoices by  
 282 subscribers whose SUNCOM ~~Network~~ invoices are paid from sources  
 283 other than legislative appropriations, such nonpayment  
 284 represents good and sufficient reason to terminate service.

285 (2) The department shall adopt rules for implementing and  
 286 operating the ~~state~~ SUNCOM services ~~Network~~, which include

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287 | procedures for withdrawing and restoring authorization to use  
288 | the ~~state~~ SUNCOM services Network. Such rules shall provide a  
289 | minimum of 30 days' notice to affected parties before  
290 | terminating voice communications service.

291 |       Section 8. Section 282.708, Florida Statutes, is amended  
292 | to read:

293 |       282.708 Emergency assumption of control.—In the event of  
294 | an emergency, the Governor may direct emergency management  
295 | assumption of control over all or part of the SUNCOM services  
296 | ~~state communications system~~.

297 |       Section 9. This act shall take effect July 1, 2014.