

## CHAPTER 97-286

### Committee Substitute for Senate Bill No. 940

An act relating to information resources management; amending s. 11.39, F.S.; revising the duties of the Legislative Information Technology Resource Committee; amending s. 120.52, F.S.; providing an additional exclusion to the definition of “rule”; amending ss. 186.021 and 186.022, F.S.; revising provisions relating to information resources management in state agency strategic plans and review thereof; creating s. 216.0446, F.S.; authorizing a mechanism for the review of portions of agency strategic plans and legislative budget requests that pertain to information resource management needs; naming this mechanism the Technology Review Workgroup; amending s. 216.181, F.S.; requiring review and approval of amendments to approved budgets which involve specified information resource management initiatives or projects; amending s. 282.003, F.S.; revising the short title of ch. 282, F.S.; creating s. 282.005, F.S.; providing legislative findings and intent with respect to information resources management; amending s. 282.303, F.S.; revising definitions; creating s. 282.3031, F.S.; providing for assignment of information resources management responsibilities; creating s. 282.3032, F.S.; providing guiding principles for development and implementation of information systems; creating s. 282.3041, F.S.; providing for information resources management responsibilities within state agencies; creating s. 282.3055, F.S.; creating the position of Chief Information Officer; providing duties; creating s. 282.3063, F.S.; requiring an Agency Annual Information Resources Management Report; creating s. 282.3091, F.S.; creating the State Technology Council; providing legislative intent; providing membership, powers, and duties; creating s. 282.3093, F.S.; creating the State Technology Office; providing legislative intent; providing powers and duties; creating s. 282.310, F.S.; requiring a State Annual Report on Information Resources Management; creating s. 282.315, F.S.; creating the Chief Information Officers Council; providing legislative intent; providing purposes, membership, and duties; amending s. 282.102, F.S.; authorizing the Division of Communications of the Department of Management Services to publish electronically a portfolio of its services; specifying the information to be included in the portfolio; requiring that the information also be provided in hard copy; repealing s. 282.1021, F.S., which requires the Division of Communications to develop a biennial plan for communication services; amending s. 282.20, F.S., relating to the Technology Resource Center; removing references to the Information Resource Commission; amending s. 282.313, F.S.; revising membership and duties of the data processing policy boards; amending s. 282.318, F.S.; revising security requirements for data and information technology resources; amending s. 282.322, F.S., relating to special monitoring for designated information resources management projects; providing for the assumption of specified responsibilities by the Technology Review Workgroup; amending s. 282.404, F.S., relating to the Geographic 1 CODING: Words striken are deletions; words underlined are additions. Information Board; requiring the board to develop an annual strategic plan; removing references to the Information Resource Commission; revising the membership of the Geographic Information Advisory Council; repealing s. 282.004, F.S., relating to legislative intent with

respect to information resources management and paperwork reduction; repealing s. 282.304, F.S., which provides for the creation of the Information Resource Commission; repealing s. 282.307, F.S., which requires each department to submit a strategic plan for information resources management; repealing s. 282.308, F.S., which requires each state university to prepare a strategic plan for information resources management; repealing s. 282.312, F.S., which requires the submission of annual performance reports to the Information Resource Commission; repealing s. 287.0735, F.S., which requires the review of contracts relating to the acquisition of information technology resources by the Information Resource Commission; repealing s. 287.073(5), (6), (7), and (8), F.S., which creates the Information Technology Resource Procurement Advisory Council within the Department of Management Services; repealing s. 216.0445, F.S., relating to budget evaluation by the Information Resource Commission; repealing s. 282.309, F.S., which requires the preparation of strategic plans for information resources management by the judicial branch; repealing s. 282.311, F.S., which provides for information resource managers; repealing s. 282.305, F.S., which provides powers and duties of the Information Resource Commission and the Board of Regents with respect to information resources management; repealing s. 282.3061, F.S., which provides for a State Strategic Plan for Information Resources Management; repealing s. 282.3062, F.S., which requires an annual report on information resources management by the Information Resource Commission; repealing s. 282.314, F.S., which creates the Information Resources Management Advisory Council; amending s. 215.90, F.S.; renaming the “Florida Fiscal Accounting Management Information System Act” the “Florida Financial Management Information System Act”; amending s. 215.91, F.S.; providing legislative intent; amending s. 215.92, F.S.; revising definitions; amending s. 215.93, F.S.; providing requirements with respect to the Florida Financial Management Information System and its subsystems; amending s. 215.94, F.S.; revising provisions with respect to the designation, duties, and responsibilities of the functional owners; amending s. 215.95, F.S.; renaming the Fiscal Accounting Information Board as the Financial Management Information Board and revising its duties; requiring the board to develop an annual strategic plan; amending s. 215.96, F.S.; revising provisions with respect to the coordinating council and its membership and duties; providing for design and coordination staff; amending s. 216.141, F.S.; revising provisions with respect to budget system procedures and planning and programming by state agencies; creating a Health Information Systems Council to facilitate coordination and sharing of health-related data; requiring the council to develop and approve an annual strategic plan; amending ss. 20.19, 20.316, and 20.41, F.S., to conform and correct cross-references; amending s. 112.3145, F.S.; removing voting members of the Information Technology Resource Procurement Ch. 97-286 LAWS OF FLORIDA Ch. 97-286 2 CODING: Words stricken are deletions; words underlined are additions. Advisory Council from the definition of “specified state employee”; amending s. 216.031, F.S.; correcting a cross-reference; amending ss. 216.235 and 216.236, F.S., to conform; amending s. 287.042, F.S., relating to the powers, duties, and functions of the Division of Purchasing of the Department of Management Services, to conform; amending s. 287.073, F.S.; conforming the definition of “information technology resources”; amending s. 943.08, F.S.; requiring the Criminal and Juvenile Justice Information Systems Council to develop and approve an annual strategic plan; requiring that

the current staff of the Information Resource Commission be given priority consideration for vacant or new positions; providing for storage of records and requiring that the records of the Information Resource Commission be transferred to the State Technology Office; providing for the repeal of the administrative rules of the Information Resource Commission on June 30, 1998; providing for the transfer of specified unexpended appropriations to the Technology Review Workgroup; providing for a reviser's bill; providing a definition; specifying the types of information to be included in the collaborative systems; specifying participants in the collaborative systems; requiring a steering committee to govern each collaborative system; requiring a system security plan; authorizing collaborative system members to share client information; imposing restrictions to protect confidential client information; encouraging participation in the collaborative systems; providing effective dates.

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

Section 2. Paragraph (c) of subsection (15) of section 120.52, Florida Statutes, 1996 Supplement, is amended to read:

120.52 Definitions.—As used in this act:

(15) "Rule" means each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule. The term does not include:

(c) The preparation or modification of:

1. Agency budgets.
2. Statements, memoranda, or instructions to state agencies issued by the Comptroller as chief fiscal officer of the state and relating or pertaining to claims for payment submitted by state agencies to the Comptroller.
3. Contractual provisions reached as a result of collective bargaining.
4. Memoranda issued by the Executive Office of the Governor relating to information resources management.