

Fiscal Year 2025-2026 Conforming Bill
Relating to Authorized Uses of the Cybersecurity Incident
Response Trust Fund

BILL

2025

1 A bill to be entitled
2 An act relating to the Cybersecurity Incident Response
3 Trust Fund; creating s. 282.321, F.S.; specifying the use
4 of funds from the Cybersecurity Incident Response Trust
5 Fund; providing a contingent effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Section 282.321, Florida Statutes, is created to
10 read:

11 282.321 Authorized Uses of the Cybersecurity Incident
12 Response Trust Fund.— Funds from the Cybersecurity Incident
13 Response Trust Fund, created under s. 282.320, may be used for
14 the following purposes:

15 (1) Upon demonstration of a cybersecurity incident,
16 requiring notice of a breach pursuant to s. 282.320(2), the
17 department is authorized to submit a budget amendment requesting
18 the establishment and release of budget authority in the
19 Cybersecurity Incident Response Trust Fund as defined in s.
20 282.320, notwithstanding s. 216.181(11)(b), not to exceed the
21 available fund balance. The request for funds shall at a minimum
22 include the following:

23 (a) a description of the incident;
24 (b) a list of affected enterprise state agencies;
25 (c) an aggregated total of individuals requiring notice and
26 whether all consumer reporting agencies require notice; and
27 (d) a plan and timeline for use of the funds.

28 Applicable information contained therein is confidential and
29 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

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30 Constitution pursuant to s. 282.318(5) and s. 119.0725. The
31 request of funds shall be approved by the Executive Office of
32 the Governor in consultation with the chairs of the legislative
33 appropriations committees. Such consultation shall be provided
34 at least 14 days prior to the establishment and release of
35 funds.

36 (2) Beginning in Fiscal Year 2026-2027, within 15 days of
37 each quarter end, the Department of Management Services shall
38 transfer 10 percent or an amount needed to maintain a \$10
39 million cash balance, whichever is less, of the previous
40 quarters MyFloridaMarketPlace transaction fee revenues pursuant
41 to s. 287.042(1)(h)(1), within the Purchasing Oversight Account
42 in the Operating Trust Fund to the Cybersecurity Incident
43 Response Trust Fund. At any given time, the available fund
44 balance may not exceed \$10 million. Any interest earnings
45 accrued in excess of \$10 million must be transferred to the
46 Purchasing Oversight Account in the Operating Trust Fund.

47 Section 2. This act shall take effect on the same date that
48 the legislation creating the Cybersecurity Incident Response
49 Trust Fund takes effect, if such legislation is adopted in the
50 same legislative session or an extension thereof and becomes
51 law.