

1                                   A bill to be entitled  
 2           An act relating to public records; creating s.  
 3           252.905, F.S.; providing an exemption from public  
 4           records requirements for information furnished to the  
 5           Division of Emergency Management by a person or  
 6           business for the purpose of obtaining assistance with  
 7           emergency planning; providing for retroactive  
 8           applicability of the exemption; providing for future  
 9           legislative review and repeal of the exemption;  
 10          providing a statement of public necessity; providing  
 11          an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

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 15           Section 1. Section 252.905, Florida Statutes, is created  
 16 to read:

17           252.905 Emergency planning information; public records  
 18 exemption.—

19           (1) Any information furnished by a person or a business to  
 20 the division for the purpose of being provided assistance with  
 21 emergency planning is exempt from s. 119.07(1) and s. 24(a),  
 22 Art. I of the State Constitution. This exemption applies to  
 23 information held by the division before, on, or after the  
 24 effective date of this exemption.

25           (2) This section is subject to the Open Government Sunset  
 26 Review Act in accordance with s. 119.15, and shall stand

27 repealed on October 2, 2019, unless reviewed and saved from  
28 repeal through reenactment by the Legislature.

29 Section 2. The Legislature finds that it is a public  
30 necessity that information furnished by a person or a business  
31 to the Division of Emergency Management for the purpose of being  
32 provided assistance with emergency planning be made exempt from  
33 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
34 State Constitution. The Division of Emergency Management manages  
35 a statewide public awareness program to educate the public to be  
36 self-sufficient for up to 72 hours following a natural or  
37 manmade disaster. The public awareness program encourages  
38 individuals, families, and businesses to develop disaster plans  
39 in preparation of and in response to such natural or manmade  
40 disasters. Emergency plans may include sensitive information  
41 such as alternate locations for families to meet or business  
42 relocation in the event of building damage; business contacts,  
43 including utility providers, suppliers, and employees; backup  
44 suppliers for key materials and services depended upon by the  
45 business; important records and documents that the business  
46 needs to operate; and emergency community contacts and disaster  
47 resources. Without this exemption, the effective and efficient  
48 administration of the Division of Emergency Management's  
49 statewide public awareness program is significantly impaired.  
50 The potential disclosure of sensitive information has served as  
51 a disincentive for creating a disaster plan, particularly among  
52 businesses that fear that the disclosure of sensitive

CS/HB 7011

2014

53 information may place their businesses at a competitive  
54 disadvantage. Therefore, the Legislature finds that the harm  
55 that may result from the release of personal or business  
56 information obtained by the Division of Emergency Management for  
57 the purpose of providing assistance with emergency planning for  
58 the preparation of and response to a natural or manmade disaster  
59 outweighs any public benefit that may be derived from disclosure  
60 of the information.

61 Section 3. This act shall take effect July 1, 2014.