

1 A bill to be entitled
2 An act relating to public records and meetings;
3 providing an exemption from public records and
4 meetings requirements for portions of the
5 blueprints of an educational facility;
6 providing for future legislative review and
7 repeal; providing for rulemaking authority;
8 providing for persons who have a bona-fide need
9 to know such information; providing a finding
10 of public necessity; providing a contingent
11 effective date.

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

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15 Section 1. (1) The portion of each blueprint of an
16 educational facility as defined in section 235.011(6), Florida
17 Statutes, which is determined to be confidential and exempt by
18 rule and which is submitted to a law enforcement agency, the
19 Department of Education, or the State Board of Education, as
20 required by Committee Substitute for Committee Substitute for
21 Committee Substitute for Senate Bills 852, 2, and 46, 2000
22 Regular Session, is confidential and exempt from section
23 119.07(1), Florida Statutes, and Section 24(a), Article I of
24 the State Constitution. This exemption is subject to the Open
25 Government Sunset Review Act of 1995 in accordance with
26 section 119.15, Florida Statutes, and shall stand repealed on
27 October 2, 2005, unless reviewed and saved from repeal through
28 reenactment by the Legislature.

29 (2) Portions of all meetings or proceedings of any
30 agency as defined in section 119.011(2), Florida Statutes,
31 relating directly to, or which would reveal confidential and

1 exempt information set forth in rule relating solely to, the
2 blueprints of an educational facility are confidential and
3 exempt from section 286.011, Florida Statutes, and Section
4 24(b), Article I of the State Constitution. An agency as
5 defined in section 119.011(2), Florida Statutes, may hold
6 public meetings to discuss nonconfidential information or
7 issues relating to these blueprints.

8 (3) The Department of Education shall prescribe by
9 rule the information relating to the blueprints of an
10 educational facility, as defined in section 235.011(6),
11 Florida Statutes, which is confidential and exempt from the
12 provisions of section 119.07(1), Florida Statutes, and Section
13 24(a), Article I of the State Constitution. To be
14 confidential, the information must be necessary to the
15 security and integrity of the educational facility. A law
16 enforcement officer, an emergency medical services provider,
17 an authorized agent or employee of the educational facility, a
18 parent or guardian, and a person who is involved in the
19 planning, design, site improvement, construction, contracting,
20 remodeling, renovation, maintenance, and repair of plants and
21 facilities, including ancillary and auxiliary facilities, has
22 a bona-fide need to know such information. The department
23 shall also prescribe by rule which persons have a bona-fide
24 need to know this information in order to carry out their
25 duties.

26 (4) Confidential and exempt information may be
27 released to and used by other governmental entities as needed
28 in connection with the performance of their duties. Any such
29 information that is confidential and exempt as provided for in
30 this section retains its status as confidential and exempt.

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1 Section 2. The Legislature finds that the exemption
2 from the public records law provided in section 1 of this act
3 is a public necessity and that the protection of students and
4 others in schools and community colleges is a critical state
5 concern. Furthermore, the Legislature finds that failure to
6 protect the confidentiality of a blueprint of an educational
7 facility submitted to or collected by law enforcement
8 personnel, the Department of Education, or the State Board of
9 Education under Committee Substitute for Committee Substitute
10 for Committee Substitute for Senate Bills 852, 2, and 46, 2000
11 Regular Session, would impede the safety and security of
12 schools, community colleges, students, and others. The
13 Legislature further finds that incidents may occur in which
14 blueprints of educational facilities are requested under
15 circumstances that could threaten the safety or welfare of
16 students, employees, and others whether or not actual harm
17 results. Because release of certain portions of facility
18 blueprints under these circumstances would not benefit the
19 public or aid it in monitoring the effective and efficient
20 operation of government but could result in harm to students,
21 employees, and others, the Legislature finds that it is
22 necessary that portions of blueprints be confidential and
23 exempt.

24 Section 3. This act shall take effect on the effective
25 date of Committee Substitute for Committee Substitute for
26 Committee Substitute for Senate Bills 852, 2, and 46, 2000
27 Regular Session, or similar legislation relating to
28 educational facilities, and shall not take effect if that
29 legislation does not become law.

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