

By Representatives Gelber, Harrell, Green, Ball, Bullard
and Cusack

1 A bill to be entitled
2 An act relating to public records; providing
3 that information concerning the amount or type
4 of pharmaceuticals or the location of
5 pharmaceutical depositories maintained or
6 directed by a state agency in response to an
7 act of terrorism is exempt from public records
8 requirements; providing a statement of public
9 necessity; providing an effective date.

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

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13 Section 1. Information concerning the type or amount
14 of pharmaceutical materials or the location of any
15 pharmaceutical depository maintained or directed by a state
16 agency as a response to an act of terrorism, as defined by s.
17 775.30, Florida Statutes, is exempt from the requirements of
18 s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the
19 State Constitution. This section is subject to the Open
20 Government Sunset Review Act of 1995, in accordance with s.
21 119.15, Florida Statutes, and shall stand repealed on October
22 2, 2007, unless reviewed and saved from repeal through
23 reenactment by the Legislature.

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25 Section 2. The Legislature finds that the exemption
26 from public records requirements provided by this act is a
27 public necessity because information concerning the type or
28 amount of pharmaceutical materials or the location of any
29 pharmaceutical depository that is maintained or directed by a
30 state agency is information that could be used by terrorists
31 in planning acts of terrorism. Although some skill would be
required to use such information to further an act of

1 terrorism, ample evidence of the capabilities of terrorists to
2 conduct complicated acts of terrorism exists. The September
3 11, 2001, attack on the World Trade Center and the Pentagon,
4 as well as the intentional spread of anthrax in this country
5 and state, which resulted in the death of one Floridian,
6 provide evidence that such capabilities exist. These events
7 also have shown the importance of maintaining appropriate
8 pharmaceuticals to respond to acts of terrorism and the need
9 to ensure that the locations of pharmaceutical depositories
10 are protected. Consequently, the Legislature finds that
11 information concerning the type or amount of pharmaceutical
12 materials or the location of any pharmaceutical depository
13 that is maintained or directed by a state agency must be kept
14 confidential.

15 Section 3. This act shall take effect upon becoming a
16 law.

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19 LEGISLATIVE SUMMARY

20 Provides an exemption from public records requirements
21 for information concerning pharmaceutical materials or
22 the location of pharmaceutical depositories maintained or
23 directed by state agencies. Provides a statement of
24 public necessity and for future review and repeal of the
25 exemption.

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