

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Security, Select offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Section 119.071, Florida Statutes, is
created to read:

119.071 Security system plans; records and meetings
exempt from public access or disclosure.--A security system
plan or portion thereof for any property owned by or leased to
the state or any of its political subdivisions, or any
privately owned or leased property, which plan or portion
thereof is in the possession of any agency, as defined in s.
119.011(2), is confidential and exempt from the provisions of
s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
Those portions of any meeting which would reveal a security
system plan or portion thereof made confidential and exempt by
this section are exempt from the provisions of s. 286.011 and
s. 24(b), Art. I of the State Constitution. A security system
plan includes all records, information, photographs, audio and

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1 visual presentations, schematic diagrams, surveys,
2 recommendations, or consultations or portions thereof relating
3 directly to or revealing security systems; threat assessments
4 conducted by any agency as defined in s. 119.011(2) or any
5 private entity; threat-response plans; emergency evacuation
6 plans; sheltering arrangements; or manuals for security
7 personnel, emergency equipment, or security training. This
8 section is subject to the Open Government Sunset Review Act of
9 1995, in accordance with s. 119.15, and shall stand repealed
10 on October 2, 2006, unless reviewed and saved from repeal
11 through reenactment by the Legislature.

12 Section 2. The Legislature finds that the exemption
13 from public records and public meetings requirements provided
14 by this act is a public necessity because security system
15 plans are a vital component of public safety. Security system
16 plans contain components that address safety issues for public
17 and private property on which public business is conducted and
18 address the security of private property on which a large
19 segment of the public relies. The public relies on radio and
20 television towers, telephone and cable lines, power plants and
21 grids, oil and gas pipelines, and many types of privately
22 owned infrastructure to provide necessary services. To
23 coordinate the response of the public sector and the private
24 sector in an emergency, such as an act of terrorism, public
25 agencies must be able to review security system plans for
26 public and private property. If the information in security
27 system plans is available for inspection and copying,
28 terrorists could use this information to hamper or disable
29 emergency response preparedness, increasing injuries and
30 fatalities. Although some skill would be required to use such
31 information to further an act of terrorism, ample evidence of

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1 the capabilities of terrorists to conduct complicated acts of
2 terrorism exists. The September 11, 2001, attack on the World
3 Trade Center and the Pentagon, as well as the intentional
4 spread of anthrax in this country and state, which resulted in
5 the death of one Floridian, provide evidence that such
6 capabilities exist. These events also have shown the
7 importance of a coordinated response to acts of terrorism and
8 the need for the review of public and private security system
9 plans. Consequently, the Legislature finds that security
10 system plans and meetings related thereto must be kept
11 confidential.

12 Section 3. This act shall take effect upon becoming a
13 law.

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 remove from the title of the bill: the entire title

19

20 and insert in lieu thereof:

21 A bill to be entitled

22 An act relating to public records and meetings;
23 creating s. 119.071, F.S.; providing an
24 exemption from public records requirements for
25 a security system plan or portion thereof for
26 any property owned by or leased to the state or
27 any of its political subdivisions, or any
28 privately owned or leased property, that is in
29 the possession of a state agency; providing an
30 exemption from public meeting requirements for
31 those portions of any meeting which would

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1 reveal a security system plan or portion
2 thereof made confidential and exempt under the
3 act; providing for future review and repeal;
4 providing a statement of public necessity;
5 providing an effective date.
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