

1 A bill to be entitled
2 An act relating to public records and meetings;
3 creating s. 119.071, F.S.; providing an
4 exemption from public records requirements for
5 a security system plan or portion thereof for
6 any property owned by or leased to the state or
7 any of its political subdivisions, or any
8 privately owned or leased property, that is in
9 the possession of a state agency; providing an
10 exemption from public meeting requirements for
11 those portions of any meeting which would
12 reveal a security system plan or portion
13 thereof made confidential and exempt under the
14 act; providing for future review and repeal;
15 providing a statement of public necessity;
16 providing an effective date.

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

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20 Section 1. Section 119.071, Florida Statutes, is
21 created to read:
22 119.071 Security system plans; records and meetings
23 exempt from public access or disclosure.--A security system
24 plan or portion thereof for any property owned by or leased to
25 the state or any of its political subdivisions, or any
26 privately owned or leased property, which plan or portion
27 thereof is in the possession of any agency, as defined in s.
28 119.011(2), is confidential and exempt from the provisions of
29 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
30 Those portions of any meeting which would reveal a security
31 system plan or portion thereof made confidential and exempt by

1 this section are exempt from the provisions of s. 286.011 and
 2 s. 24(b), Art. I of the State Constitution. A security system
 3 plan includes all records, information, photographs, audio and
 4 visual presentations, schematic diagrams, surveys,
 5 recommendations, or consultations or portions thereof relating
 6 directly to or revealing security systems; threat assessments
 7 conducted by any agency as defined in s. 119.011(2) or any
 8 private entity; threat-response plans; emergency evacuation
 9 plans; sheltering arrangements; or manuals for security
 10 personnel, emergency equipment, or security training. This
 11 section is subject to the Open Government Sunset Review Act of
 12 1995, in accordance with s. 119.15, and shall stand repealed
 13 on October 2, 2006, unless reviewed and saved from repeal
 14 through reenactment by the Legislature.

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

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

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

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