

Bill No. CS for SB 62-B

Amendment No. Barcode 532808

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senators Brown-Waite and Smith moved the following amendment:

Senate Amendment (with title amendment)
Delete everything after the enacting clause

and insert:

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 visual presentations, schematic diagrams, surveys,

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8 1995, in accordance with s. 119.15, and shall stand repealed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

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

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

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

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

16 And the title is amended as follows:

17 Delete everything before the enacting clause

18

19 and insert:

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

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1 thereof made confidential and exempt under the
2 act; providing for future a review and repeal;
3 providing a statement of public necessity;
4 providing an effective date.
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