

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on State Administration offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause

and insert:

Section 1. Paragraph (ee) of subsection (3) of section 119.07, Florida Statutes, as amended by section 1 of chapter 2001-364, Laws of Florida, is created to read:

119.07 Inspection, examination, and duplication of records; exemptions.--

(3)

(ee) Building plans, blueprints, schematic drawings, diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building, arena, stadium, water treatment facility, or other structure owned or operated by an agency as defined in s. 119.011 are exempt from the provisions of subsection (1) and s. 24(a), Art. I of the State Constitution. This exemption applies to building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats,

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1 which depict the internal layout and structural elements of a
2 building, arena, stadium, water treatment facility, or other
3 structure owned or operated by an agency before, on, or after
4 the effective date of this act. Information made exempt by
5 this paragraph may be disclosed to another governmental entity
6 if disclosure is necessary for the receiving entity to perform
7 its duties and responsibilities; to a licensed architect,
8 engineer, or contractor who is performing work on or related
9 to the building, arena, stadium, water treatment facility, or
10 other agency owned or operated structure; or upon a showing of
11 good cause before a court of competent jurisdiction. The
12 entities or persons receiving such information shall maintain
13 the exempt status of that information. This paragraph is
14 subject to the Open Government Sunset Review Act of 1995 in
15 accordance with s. 119.15, and shall stand repealed on October
16 2, 2007, unless reviewed and reenacted by the Legislature.

17 Section 2. The Legislature finds that the public
18 records exemption created by this act is a public necessity in
19 order to ensure the safety of government infrastructures and
20 to ensure public safety. Such exempt information is a vital
21 component of public safety and if it were made publicly
22 available then the ability for persons who desire to harm
23 individuals located in those structures is increased. In
24 addition, terrorists would have easy access to the exempt
25 information and use the information to inflict harm on the
26 public. Although skill would be required to use such
27 information to further an act of terrorism, ample evidence
28 exists of the capabilities of terrorists to conduct
29 complicated acts of terrorism. The September 11, 2001, attack
30 on the World Trade Center and the Pentagon, as well as the
31 intentional spread of anthrax in this country and state,

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1 provides evidence that such capabilities exist. These events
 2 also show the crippling effect that terrorist acts can have,
 3 not only on the lives of persons in a community affected by
 4 terrorist acts but also on the economy of the community, the
 5 state, and the nation. Consequently, the Legislature finds
 6 that the public records exemption created by this act is a
 7 public necessity.

8 Section 3. This act shall take effect upon becoming a
 9 law.

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 11
 12 ===== T I T L E A M E N D M E N T =====

13 And the title is amended as follows:

14 On page 1, lines 2 through 16,
 15 remove: all of said lines

16
 17 and insert:

18 An act relating to public records; amending s.
 19 119.07, F.S.; creating a public records
 20 exemption for building plans, blueprints,
 21 schematic drawings, or diagrams of specified
 22 facilities owned or operated by an agency;
 23 providing for retroactive application of the
 24 exemption; providing exceptions to the
 25 exemption; providing for future review and
 26 repeal; providing an effective date.

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