

By the Committee on Governmental Oversight and Productivity;  
and Senators Brown-Waite and Crist

302-2302-02

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A bill to be entitled  
An act relating to public records; amending s.  
119.07, F.S.; creating a public-records  
exemption for building plans, blueprints,  
schematic drawings, or diagrams of specified  
facilities owned or operated by an agency;  
providing for retroactive application to  
existing records; providing for future review  
and repeal; providing an effective date.

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

Section 1. Paragraph (ee) is added to subsection (3)  
of section 119.07, Florida Statutes, as amended by section 1  
of chapter 2001-364, Laws of Florida, 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 this  
chapter 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,  
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 before, on, or after  
the effective date of this act. This paragraph is subject to

1 the Open Government Sunset Review Act in accordance with s.  
2 119.15, and shall stand repealed on July 1, 2007, unless  
3 reviewed and reenacted by the Legislature. In addition,  
4 records may be released upon a showing of good cause before a  
5 court of competent jurisdiction.

6 Section 2. The Legislature finds that the  
7 public-records exemptions created by this act are a public  
8 necessity in order to ensure the safety of government  
9 infrastructures and to ensure public safety. Such information  
10 is a vital component of public safety. If building plans,  
11 blueprints, schematic drawings, maps, or diagrams that depict  
12 the internal layout of buildings, arenas, stadiums, water  
13 treatment facilities, or other structures were made available  
14 to the public, the ability for persons who desire to harm  
15 individuals located in those structures is increased. Public  
16 access to those plans could create the potential for  
17 widespread harm to the public. If the information made exempt  
18 by this act were available for public disclosure, terrorists  
19 could have easy access to that information and use the  
20 information to inflict harm on the public. Although skill  
21 would be required to use such information to further an act of  
22 terrorism, ample evidence exists of the capabilities of  
23 terrorists to conduct complicated acts of terrorism. The  
24 September 11, 2001, attack on the World Trade Center and the  
25 Pentagon, as well as the intentional spread of anthrax in this  
26 country and state, provides evidence that such capabilities  
27 exist. These events also show the crippling effect that  
28 terrorist acts can have, not only on the lives of persons in a  
29 community affected by terrorist acts but also on the economy  
30 of the community, the state, and the nation. Consequently, the

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1 Legislature finds that the public-records exemptions created  
2 by this act are a public necessity.

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

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6                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7                   COMMITTEE SUBSTITUTE FOR  
8                   Senate Bill 982

8

9 Creates an exemption for building plans, blueprints, schematic  
10 drawings, diagrams, which depict the internal layout and  
11 structural elements of a building or other structure owned or  
12 operated by an agency.

13 Provides for retroactive application.

14 Provides a statement of public necessity.

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