

By Senator Dockery

15-197-03

1                                   A bill to be entitled

2           An act relating to public records; amending s.

3           119.071, F.S., relating to an exemption from

4           public-records requirements which applies to

5           certain security system plans; creating an

6           exception to the exemption; repealing s.

7           281.301, F.S., relating to an exemption from

8           public-access or disclosure requirements for

9           information relating to certain security

10          systems; providing an effective date.

11

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

13

14           Section 1. Section 119.071, Florida Statutes, is

15 amended to read:

16           119.071 General exemptions from inspection or copying

17 of public records.--A security system plan or portion thereof

18 for:

19           (1) Any property owned by or leased to the state or

20 any of its political subdivisions; or

21           (2) Any privately owned or leased property

22

23 which plan or portion thereof is held by ~~in the possession of~~

24 any agency, as defined in s. 119.011, is confidential and

25 exempt from the provisions of s. 119.07(1) and s. 24(a), Art.

26 I of the State Constitution. As used in this section, the term

27 a "security system plan" includes all records, information,

28 photographs, audio and visual presentations, schematic

29 diagrams, surveys, recommendations, or consultations or

30 portions thereof relating directly to the physical security of

31 the facility or revealing security systems; threat assessments

1 conducted by any agency as defined in s. 119.011 or any  
2 private entity; threat response plans; emergency evacuation  
3 plans; sheltering arrangements; or manuals for security  
4 personnel, emergency equipment, or security training. This  
5 exemption is remedial in nature and it is the intent of the  
6 Legislature that this exemption be applied to security system  
7 plans ~~held~~ received by an agency before, on, or after the  
8 effective date of this section. Information made confidential  
9 and exempt by this section may be disclosed by the custodial  
10 agency to the property owner or leaseholder; or such  
11 information may be disclosed by the custodial agency to  
12 another state or federal agency to prevent, detect, guard  
13 against, respond to, investigate, or manage the consequences  
14 of any attempted or actual act of terrorism, or to prosecute  
15 those persons who are responsible for such attempts or acts,  
16 and the confidential and exempt status of such information  
17 shall be retained while in the possession of the receiving  
18 agency. This section is subject to the Open Government Sunset  
19 Review Act of 1995, in accordance with s. 119.15, and shall  
20 stand repealed on October 2, 2006, unless reviewed and saved  
21 from repeal through reenactment by the Legislature.

22 Section 2. Section 281.301, Florida Statutes, is  
23 repealed.

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

26  
27  
28  
29  
30  
31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

\*\*\*\*\*

SENATE SUMMARY

Creates an exception to the exemption from public-records requirements which applies to security system plans for any property owned by or leased to the state or any of its political subdivisions or for any privately owned or leased property for which the security system plan is held by an agency, as defined in s. 119.011, F.S. Repeals s. 281.301, F.S., relating to an exemption from public-access or disclosure requirements for information relating to certain security systems.