

By the Committee on Governmental Oversight and Productivity;
and Senator Dockery

302-2143-03

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A bill to be entitled
An act relating to public records; amending s.
119.071, F.S., relating to an exemption from
public-records requirements which applies to
certain security system plans; creating an
exception to the exemption; providing an
effective date.

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

Section 1. Section 119.071, Florida Statutes, is
amended to read:

119.071 General exemptions from inspection or copying
of public records.--A security system plan or portion thereof
for:

(1) Any property owned by or leased to the state or
any of its political subdivisions; or

(2) Any privately owned or leased property

which plan or portion thereof is held by ~~in the possession of~~
any agency, as defined in s. 119.011, is confidential and
exempt from the provisions of s. 119.07(1) and s. 24(a), Art.
I of the State Constitution. As used in this section, the term
a "security system plan" includes all records, information,
photographs, audio and visual presentations, schematic
diagrams, surveys, recommendations, or consultations or
portions thereof relating directly to the physical security of
the facility or revealing security systems; threat assessments
conducted by any agency as defined in s. 119.011 or any
private entity; threat response plans; emergency evacuation
plans; sheltering arrangements; or manuals for security

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

19 Section 2. This act shall take effect upon becoming a
20 law.

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22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
23 COMMITTEE SUBSTITUTE FOR
24 SB 1182

25 Removes a section of the bill that would have repealed s.
26 281.301, F.S., which contains a similar exemption for security
27 system plans.
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