

By Senator Bennett

21-1056-03

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 119.07, F.S.; revising an exemption from
 4 public-records requirements to include building
 5 plans, blueprints, schematic drawings, and
 6 diagrams of specified facilities and structures
 7 held by a public agency or an entity acting on
 8 behalf of a public agency; providing a
 9 statement of public necessity; providing an
 10 effective date.

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

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 14 Section 1. Paragraph (ee) of subsection (3) of section
 15 119.07, Florida Statutes, is amended to read:

16 119.07 Inspection, examination, and duplication of
 17 records; exemptions.--

18 (3)

19 (ee) Building plans, blueprints, schematic drawings,
 20 and diagrams, including draft, preliminary, and final formats,
 21 which depict the internal layout and structural elements of a
 22 building, arena, stadium, water treatment facility, or other
 23 structure held ~~owned or operated~~ by an agency as defined in s.
 24 119.011 are exempt from the provisions of subsection (1) and
 25 s. 24(a), Art. I of the State Constitution. This exemption
 26 applies to building plans, blueprints, schematic drawings, and
 27 diagrams, including draft, preliminary, and final formats,
 28 which depict the internal layout and structural elements of a
 29 building, arena, stadium, water treatment facility, or other
 30 structure owned or operated by an agency before, on, or after
 31 the effective date of this act. Information made exempt by

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12 shall stand repealed on October 2, 2007, unless reviewed and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

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

1 crippling effect that terrorist acts can have, not only on the
2 lives of persons in a community affected by terrorism but also
3 on the economy of the community, the state, and the nation.
4 Consequently, the Legislature finds that the public-records
5 exemption created by this act is a public necessity.

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

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SENATE SUMMARY

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Revises an exemption from public records requirements for
building plans, blueprints, schematic drawings, and
12 diagrams of specified facilities and structures held by
13 an agency. Provides a statement of public necessity.

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