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A bill to be entitled
 An act relating to a public records exemption for building plans, blueprints, schematic drawings, and diagrams of a building, arena, stadium, water treatment facility, or other structure held by an agency; amending s. 119.07, F.S.; expanding the public records exemption for building plans, blueprints, schematic drawings, and diagrams 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 to exempt such plans, blueprints, schematic drawings, and diagrams held by an agency; providing for retroactive effect; providing for review and repeal; providing a statement of public necessity; providing an effective date.

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

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

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

(3)

(ee) 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 held ~~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,



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31 including draft, preliminary, and final formats, which depict
32 the internal layout and structural elements of a building,
33 arena, stadium, water treatment facility, or other structure
34 held ~~owned or operated~~ by an agency before, on, or after the
35 effective date of this act. Information made exempt by this
36 paragraph may be disclosed to another governmental entity if
37 disclosure is necessary for the receiving entity to perform its
38 duties and responsibilities; to a licensed architect, engineer,
39 or contractor who is performing work on or related to the
40 building, arena, stadium, water treatment facility, or other
41 structure, the building plans, blueprints, schematic drawings,
42 and diagrams of which are held ~~owned or operated~~ by an agency;
43 or upon a showing of good cause before a court of competent
44 jurisdiction. The entities or persons receiving such information
45 shall maintain the exempt status of the information. ~~This~~
46 ~~paragraph is subject to the Open Government Sunset Review Act of~~
47 ~~1995 in accordance with s. 119.15, and shall stand repealed on~~
48 ~~October 2, 2007, unless reviewed and reenacted by the~~
49 ~~Legislature.~~

50 Section 2. Paragraph (ee) of subsection (3) of s. 119.07,
51 Florida Statutes, is subject to the Open Government Sunset
52 Review Act of 1995 in accordance with s. 119.15, Florida
53 Statutes, and shall stand repealed on October 2, 2008, unless
54 reviewed and saved from repeal through reenactment by the
55 Legislature.

56 Section 3. The Legislature finds that the public records
57 exemption created by this act is a public necessity in order to
58 ensure the safety of public and private infrastructures and to
59 ensure public safety. Such exempt information is a vital
60 component of public safety and, if it were made publicly



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61 available, the ability of persons who desire to harm individuals
62 located in or using those structures, the building plans,
63 blueprints, schematic drawings, and diagrams of which are made
64 exempt by this act, would be increased. In addition, terrorists
65 would have easy access to the exempt information and could use
66 the information to inflict harm on the public. Although skill
67 would be required to use such information to further an act of
68 terrorism, ample evidence exists of the capabilities of
69 terrorists to conduct complicated acts of terrorism. The
70 September 11, 2001, attacks on the World Trade Center and the
71 Pentagon, as well as the intentional spread of anthrax in this
72 country and state, provide evidence that such capabilities
73 exist. These events also show the crippling effect that
74 terrorist acts can have, not only on the lives of persons in a
75 community affected by terrorist acts but also on the economy of
76 the community, the state, and the nation. Consequently, the
77 Legislature finds that the public records exemption created by
78 this act is a public necessity.

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