By the Committee on Domestic Security

583-551-06

1	A bill to be entitled
2	An act relating to a review under the Open
3	Government Sunset Review Act; amending s.
4	119.071, F.S., relating to an exemption from
5	public-records requirements provided for
6	security system plans held by a state agency;
7	saving the exemption from repeal under the Open
8	Government Sunset Review Act; deleting
9	provisions providing for the repeal of the
10	exemption; amending s. 286.0113, F.S., relating
11	to an exemption from public-meetings
12	requirements provided for any meeting that
13	would reveal a security system plan, or portion
14	thereof, which is exempt from disclosure;
15	saving the exemption from repeal under the Open
16	Government Sunset Review Act; deleting
17	provisions providing for the repeal of the
18	exemption; providing an effective date.
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20	Be It Enacted by the Legislature of the State of Florida:
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22	Section 1. Paragraph (a) of subsection (3) of section
23	119.071, Florida Statutes, is amended to read:
24	119.071 General exemptions from inspection or copying
25	of public records
26	(3) SECURITY
27	(a) A security system plan or portion thereof for:
28	1. Any property owned by or leased to the state or any
29	of its political subdivisions; or
30	2. Any privately owned or leased property
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which plan or portion thereof is held by any agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I 2 of the State Constitution. As used in this paragraph, the term 3 a "security system plan" includes all records, information, 4 photographs, audio and visual presentations, schematic 5 diagrams, surveys, recommendations, or consultations or 7 portions thereof relating directly to the physical security of 8 the facility or revealing security systems; threat assessments 9 conducted by any agency or any private entity; threat response plans; emergency evacuation plans; sheltering arrangements; or 10 manuals for security personnel, emergency equipment, or 11 12 security training. This exemption is remedial in nature and it 13 is the intent of the Legislature that this exemption be applied to security system plans held by an agency before, on, 14 or after the effective date of this paragraph. Information 15 made confidential and exempt by this paragraph may be 16 disclosed by the custodial agency to the property owner or leaseholder; or such information may be disclosed by the 18 custodial agency to another state or federal agency to 19 prevent, detect, guard against, respond to, investigate, or 20 21 manage the consequences of any attempted or actual act of 22 terrorism, or to prosecute those persons who are responsible 23 for such attempts or acts, and the confidential and exempt status of such information shall be retained while in the 2.4 25 possession of the receiving agency. This paragraph is subject 26 to the Open Government Sunset Review Act in accordance with s. 27 119.15 and shall stand repealed on October 2, 2006, unless 2.8 reviewed and saved from repeal through reenactment by the 29 Legislature. Section 2. Section 286.0113, Florida Statutes, is 30 amended to read: 31

1	286.0113 General exemptions from public
2	meetingsThose portions of any meeting which would reveal a
3	security system plan or portion thereof made confidential and
4	exempt by s. 119.071(3)(a) are exempt from the provisions of
5	s. 286.011 and s. 24(b), Art. I of the State Constitution.
6	This section is subject to the Open Government Sunset Review
7	Act, in accordance with s. 119.15, and shall stand repealed on
8	October 2, 2006, unless reviewed and saved from repeal through
9	reenactment by the Legislature.
10	Section 3. This act shall take effect October 1, 2006.
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13	SENATE SUMMARY
14	Removes the repeal under the Open Government Sunset Review Act of an exemption from public-records
15	requirements provided for security system plans held by a state agency and an exemption from public-meetings
16	requirements provided for any portion of a meeting which would reveal such a security system plan.
17	would leveal such a security system plan.
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