Florida Senate - 2006

CS for SB 696

 ${\bf By}$ the Committees on Governmental Oversight and Productivity; and Domestic Security

585-2080-06

1	A bill to be entitled
2	An act relating to a review under the Open
3	Government Sunset Review Act regarding security
4	system plans; amending s. 119.071, F.S., which
5	provides an exemption from public records
6	requirements for security system plans for any
7	property owned by or leased to the state or any
8	of its political subdivisions and any privately
9	owned or leased property; reorganizing
10	provisions, making editorial changes, and
11	removing superfluous language; removing the
12	scheduled repeal of the exemption under the
13	Open Government Sunset Review Act; amending s.
14	286.0113, F.S., which provides an exemption
15	from public meetings requirements for a meeting
16	that would reveal a security system plan or
17	portion thereof; making editorial changes;
18	removing the scheduled repeal of the exemption
19	under the Open Government Sunset Review Act;
20	providing an effective date.
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22	Be It Enacted by the Legislature of the State of Florida:
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24	Section 1. Paragraph (a) of subsection (3) of section
25	119.071, Florida Statutes, is amended to read:
26	119.071 General exemptions from inspection or copying
27	of public records
28	(3) SECURITY
29	(a) <u>1. As used in this paragraph, the term "security</u>
30	system plan" includes all:
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1	a. Records, information, photographs, audio and visual
2	presentations, schematic diagrams, surveys, recommendations,
3	or consultations or portions thereof relating directly to the
4	physical security of the facility or revealing security
5	systems;
6	b. Threat assessments conducted by any agency or any
7	private entity;
8	<u>c. Threat response plans;</u>
9	d. Emergency evacuation plans;
10	e. Sheltering arrangements; or
11	f. Manuals for security personnel, emergency
12	equipment, or security training.
13	2. A security system plan or portion thereof for:
14	<u>a.1.</u> Any property owned by or leased to the state or
15	any of its political subdivisions; or
16	b.2. Any privately owned or leased property
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18	which plan or portion thereof is held by <u>an</u> any agency is
19	confidential and exempt from s. $119.07(1)$ and s. $24(a)$, Art. I
20	of the State Constitution. As used in this paragraph, the term
21	a "security system plan" includes all records, information,
22	photographs, audio and visual presentations, schematic
23	diagrams, surveys, recommendations, or consultations or
24	portions thereof relating directly to the physical security of
25	the facility or revealing security systems; threat assessments
26	conducted by any agency or any private entity; threat response
27	plans; emergency evacuation plans; sheltering arrangements; or
28	manuals for security personnel, emergency equipment, or
29	security training. This exemption is remedial in nature and it
30	is the intent of the Legislature that this exemption <u>apply</u> be
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1 applied to security system plans held by an agency before, on, 2 or after the effective date of this paragraph. 3. Information made confidential and exempt by this 3 paragraph may be disclosed by the custodian of public records 4 5 custodial agency to: б a. The property owner or leaseholder; or 7 b. Such information may be disclosed by the custodial 8 agency to Another state or federal agency to prevent, detect, 9 guard against, respond to, investigate, or manage the consequences of any attempted or actual act of terrorism, or 10 to prosecute those persons who are responsible for such 11 12 attempts or acts, and the confidential and exempt status of 13 such information shall be retained while in the possession of the receiving agency. This paragraph is subject to the Open 14 15 Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2006, unless reviewed and 16 17 saved from repeal through reenactment by the Legislature. 18 Section 2. Section 286.0113, Florida Statutes, is amended to read: 19 20 286.0113 General exemptions from public 21 meetings. -- That portion Those portions of a any meeting that 22 which would reveal a security system plan or portion thereof 23 made confidential and exempt by s. 119.071(3)(a) is are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the 2.4 State Constitution. This section is subject to the Open 25 26 Government Sunset Review Act, in accordance with s. 119.15, 27 and shall stand repealed on October 2, 2006, unless reviewed 2.8 and saved from repeal through reenactment by the Legislature. 29 Section 3. This act shall take effect October 1, 2006. 30 31

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1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
2	<u>SB 696</u>
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4	Reorganizes the public records exemption for clarity.
5	Removes unnecessary language regarding custodial requirements.
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