

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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1 | which plan or portion thereof is held by any agency is
2 | confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3 | of the State Constitution. As used in this paragraph, the term
4 | a "security system plan" includes all records, information,
5 | photographs, audio and visual presentations, schematic
6 | 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
10 | plans; emergency evacuation plans; sheltering arrangements; or
11 | manuals for security personnel, emergency equipment, or
12 | security training. This exemption is remedial in nature and it
13 | is the intent of the Legislature that this exemption be
14 | applied to security system plans held by an agency before, on,
15 | or after the effective date of this paragraph. Information
16 | made confidential and exempt by this paragraph may be
17 | disclosed by the custodial agency to the property owner or
18 | leaseholder; or such information may be disclosed by the
19 | custodial agency to another state or federal agency to
20 | prevent, detect, guard against, respond to, investigate, or
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
24 | status of such information shall be retained while in the
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~~
28 | ~~reviewed and saved from repeal through reenactment by the~~
29 | ~~Legislature.~~

30 | Section 2. Section 286.0113, Florida Statutes, is
31 | amended to read:

1 286.0113 General exemptions from public
2 meetings.--Those 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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SENATE SUMMARY

Removes the repeal under the Open Government Sunset Review Act of an exemption from public-records requirements provided for security system plans held by a state agency and an exemption from public-meetings requirements provided for any portion of a meeting which would reveal such a security system plan.