

ENROLLED  
HB 7033

2006 Legislature

1                                   A bill to be entitled  
2           An act relating to a review under the Open Government  
3           Sunset Review Act regarding security system plans;  
4           amending s. 119.071, F.S., which provides an exemption  
5           from public records requirements for security system plans  
6           for any property owned by or leased to the state or any of  
7           its political subdivisions and any privately owned or  
8           leased property; reorganizing provisions, making editorial  
9           changes, and removing superfluous language; removing the  
10          scheduled repeal of the exemption under the Open  
11          Government Sunset Review Act; amending s. 286.0113, F.S.,  
12          which provides an exemption from public meetings  
13          requirements for a meeting that would reveal a security  
14          system plan or portion thereof; making editorial changes;  
15          removing the scheduled repeal of the exemption under the  
16          Open Government Sunset Review Act; providing an effective  
17          date.

18  
19   Be It Enacted by the Legislature of the State of Florida:

20  
21           Section 1. Paragraph (a) of subsection (3) of section  
22   119.071, Florida Statutes, is amended to read:

23           119.071 General exemptions from inspection or copying of  
24   public records.--

25           (3) SECURITY.--

26           (a) 1. As used in this paragraph, the term "security system  
27   plan" includes all:

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- 28        a. Records, information, photographs, audio and visual
- 29 presentations, schematic diagrams, surveys, recommendations, or
- 30 consultations or portions thereof relating directly to the
- 31 physical security of the facility or revealing security systems;
- 32        b. Threat assessments conducted by any agency or any
- 33 private entity;
- 34        c. Threat response plans;
- 35        d. Emergency evacuation plans;
- 36        e. Sheltering arrangements; or
- 37        f. Manuals for security personnel, emergency equipment, or
- 38 security training.

39        2. A security system plan or portion thereof for:

- 40        a.1- Any property owned by or leased to the state or any
- 41 of its political subdivisions; or
- 42        b.2- Any privately owned or leased property

43

44 ~~which plan or portion thereof is held by an any agency is~~

45 ~~confidential and exempt from s. 119.07(1) and s. 24(a), Art. I~~

46 ~~of the State Constitution. As used in this paragraph, the term a~~

47 ~~"security system plan" includes all records, information,~~

48 ~~photographs, audio and visual presentations, schematic diagrams,~~

49 ~~surveys, recommendations, or consultations or portions thereof~~

50 ~~relating directly to the physical security of the facility or~~

51 ~~revealing security systems; threat assessments conducted by any~~

52 ~~agency or any private entity; threat response plans; emergency~~

53 ~~evacuation plans; sheltering arrangements; or manuals for~~

54 ~~security personnel, emergency equipment, or security training.~~

55 This exemption is remedial in nature and it is the intent of the

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56 | Legislature that this exemption apply ~~be applied~~ to security  
 57 | system plans held by an agency before, on, or after the  
 58 | effective date of this paragraph.

59 |       3. Information made confidential and exempt by this  
 60 | paragraph may be disclosed by the custodian of public records  
 61 | ~~eustodial agency~~ to:

62 |       a. The property owner or leaseholder; or

63 |       b. ~~Such information may be disclosed by the custodial~~  
 64 | ~~agency to~~ Another state or federal agency to prevent, detect,  
 65 | guard against, respond to, investigate, or manage the  
 66 | consequences of any attempted or actual act of terrorism, or to  
 67 | prosecute those persons who are responsible for such attempts or  
 68 | acts, ~~and the confidential and exempt status of such information~~  
 69 | ~~shall be retained while in the possession of the receiving~~  
 70 | ~~agency. This paragraph is subject to the Open Government Sunset~~  
 71 | ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
 72 | ~~on October 2, 2006, unless reviewed and saved from repeal~~  
 73 | ~~through reenactment by the Legislature.~~

74 |       Section 2. Section 286.0113, Florida Statutes, is amended  
 75 | to read:

76 |       286.0113 General exemptions from public meetings.--That  
 77 | portion ~~These portions~~ of a any meeting that ~~which~~ would reveal  
 78 | a security system plan or portion thereof made confidential and  
 79 | exempt by s. 119.071(3)(a) is ~~are~~ exempt from ~~the provisions of~~  
 80 | s. 286.011 and s. 24(b), Art. I of the State Constitution. ~~This~~  
 81 | ~~section is subject to the Open Government Sunset Review Act, in~~  
 82 | ~~accordance with s. 119.15, and shall stand repealed on October~~

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83 | ~~2, 2006, unless reviewed and saved from repeal through~~  
84 | ~~reenactment by the Legislature.~~

85 |       Section 3. This act shall take effect October 1, 2006.