



682040

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2014	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Dean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 252.905, Florida Statutes, is created to
read:

252.905 Emergency planning information; public records
exemption.—

(1) Any information furnished by a person or a business to
the division for the purpose of being provided assistance with



682040

11 emergency planning is exempt from s. 119.07(1) and s. 24(a),
12 Art. I of the State Constitution. This exemption applies to
13 information held by the division before, on, or after the
14 effective date of this exemption.

15 (2) This section is subject to the Open Government Sunset
16 Review Act in accordance with s. 119.15, and shall stand
17 repealed on October 2, 2019, unless reviewed and saved from
18 repeal through reenactment by the Legislature.

19 Section 2. The Legislature finds that it is a public
20 necessity that information furnished by a person or a business
21 to the Division of Emergency Management for the purpose of being
22 provided assistance with emergency planning be made exempt from
23 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
24 State Constitution. The Division of Emergency Management manages
25 a statewide public awareness program to educate the public to be
26 self-sufficient for up to 72 hours following a natural or
27 manmade disaster. The public awareness program encourages
28 individuals, families, and businesses to develop disaster plans
29 in preparation of and in response to such natural or manmade
30 disasters. Emergency plans may include sensitive information
31 such as alternate locations for families to meet or business
32 relocation in the event of building damage; business contacts,
33 including utility providers, suppliers, and employees; backup
34 suppliers for key materials and services depended upon by the
35 business; important records and documents that the business
36 needs to operate; and emergency community contacts and disaster
37 resources. Without this exemption, the effective and efficient
38 administration of the Division of Emergency Management's
39 statewide public awareness program is significantly impaired.



682040

40 The potential disclosure of sensitive information has served as
41 a disincentive for creating a disaster plan, particularly among
42 businesses that fear that the disclosure of sensitive
43 information may place their businesses at a competitive
44 disadvantage. Therefore, the Legislature finds that the harm
45 that may result from the release of personal or business
46 information obtained by the Division of Emergency Management for
47 the purpose of providing assistance with emergency planning for
48 the preparation of and response to a natural or manmade disaster
49 outweighs any public benefit that may be derived from disclosure
50 of the information.

51 Section 3. This act shall take effect July 1, 2014.

52
53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Delete everything before the enacting clause
56 and insert:

57 A bill to be entitled
58 An act relating to public records; creating s.
59 252.905, F.S.; creating an exemption from public
60 records requirements for information furnished to the
61 Division of Emergency Management by a person or
62 business for the purpose of obtaining assistance with
63 emergency planning; providing for retroactive
64 application of the exemption; providing for future
65 repeal and legislative review of the exemption;
66 providing a statement of public necessity; providing
67 an effective date.