

1 A bill to be entitled
 2 An act relating to public records and public meetings;
 3 creating s. 1004.0962, F.S.; providing an exemption
 4 from public records requirements for those portions of
 5 a campus emergency response which address the response
 6 of a public postsecondary educational institution to
 7 an act of terrorism or other public safety crisis or
 8 emergency; providing an exemption from public meeting
 9 requirements for any portion of a public meeting which
 10 would reveal those portions of a campus emergency
 11 response which address the response of a public
 12 postsecondary educational institution to an act of
 13 terrorism or other public safety crisis or emergency;
 14 providing for future legislative review and repeal of
 15 the exemptions; providing a statement of public
 16 necessity; providing an effective date.

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

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 20 Section 1. Section 1004.0962, Florida Statutes, is created
 21 to read:

22 1004.0962 Campus emergency response of a public
 23 postsecondary educational institution; public records exemption;
 24 public meetings exemption.-

25 (1) As used in this section, the term "campus emergency

26 response" means a public postsecondary education institution's
27 response to or plan for responding to an act of terrorism, as
28 defined by s. 775.30, or other public safety crisis or
29 emergency, and includes information relating to:

30 (a) Records, information, photographs, audio and visual
31 presentations, schematic diagrams, surveys, recommendations, or
32 consultations or portions thereof.

33 (b) Threat assessments conducted by any agency or private
34 entity.

35 (c) Threat response plans.

36 (d) Emergency evacuation plans.

37 (e) Sheltering arrangements.

38 (f) Manuals for security personnel, emergency equipment,
39 or security training.

40 (g) Security systems or plans.

41 (h) Vulnerability analyses.

42 (i) Postdisaster activities, including provisions for
43 emergency power, communications, food, and water.

44 (j) Postdisaster transportation.

45 (k) Supplies, including drug caches.

46 (l) Staffing.

47 (m) Emergency equipment.

48 (n) Individual identification of students, faculty, and
49 staff; the transfer of records; and methods of responding to
50 family inquiries.

51 (2) (a) Any portion of a campus emergency response held by
52 a public postsecondary institution is exempt from s. 119.07(1)
53 and s. 24(a), Art. I of the State Constitution.

54 (b) Any portion of a campus emergency response held by a
55 state or local law enforcement agency, a county or municipal
56 emergency management agency, the Executive Office of the
57 Governor, the Department of Education, the Board of Governors of
58 the State University System, or the Division of Emergency
59 Management is exempt from s. 119.07(1) and s. 24(a), Art. I of
60 the State Constitution.

61 (3) The public records exemptions provided by this section
62 are remedial in nature, and it is the intent of the Legislature
63 that the exemptions apply to plans held by a custodial agency
64 before, on, or after the effective date of this section.

65 (4) That portion of a public meeting which would reveal
66 information related to a campus emergency response is exempt
67 from s. 286.011 and s. 24(b), Art. I of the State Constitution.

68 (5) This section is subject to the Open Government Sunset
69 Review Act in accordance with s. 119.15 and shall stand repealed
70 on October 2, 2022, unless reviewed and saved from repeal
71 through reenactment by the Legislature.

72 Section 2. The Legislature finds that those portions of a
73 campus emergency response held by a public postsecondary
74 educational institution which address the response of a public
75 postsecondary educational institution to an act of terrorism and

76 | those portions of a campus emergency response of a public
77 | postsecondary institution which are filed or shared with a state
78 | or local law enforcement agency, a county or municipal emergency
79 | management agency, the Executive Office of the Governor, the
80 | Department of Education, the Board of Governors of the State
81 | University System, or the Division of Emergency Management must
82 | be made exempt from s. 119.07(1), Florida Statutes, and s.
83 | 24(a), Art. I of the State Constitution. It is also the finding
84 | of the Legislature that any portion of a public meeting which
85 | would reveal information related to a campus emergency response
86 | be made exempt from s. 286.011, Florida Statutes, and s. 24(b),
87 | Art. I of the State Constitution. A campus emergency response
88 | affects the health and safety of the students, faculty, staff,
89 | and the public at large. If campus emergency responses were made
90 | publicly available for inspection or copying, they could be used
91 | to hamper or disable the response of a public postsecondary
92 | educational institution to an act of terrorism, or other public
93 | safety crisis or emergency. If a public postsecondary
94 | educational institution's response to these events were hampered
95 | or disabled, an increase in the number of Floridians subjected
96 | to fatal injury would occur. There is ample existing evidence of
97 | the capabilities of terrorists and other criminals to plot,
98 | plan, and coordinate complicated acts of terror and violence on
99 | university and college campuses all over the country. The
100 | aftermath of these events has also showed the importance of

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101 | viable plans by which public postsecondary educational
102 | institutions can respond to terrorist attacks and other public
103 | safety crises or emergencies.

104 | Section 3. This act shall take effect July 1, 2017.