



322686

LEGISLATIVE ACTION

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| Senate     | . | House |
| Comm: RS   | . |       |
| 03/22/2017 | . |       |
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Passidomo) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

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

1004.0962 Campus emergency response of a public postsecondary educational institution; public records exemption; public meetings exemption.—

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



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11 response” means a public postsecondary education institution’s  
12 response to or plan for responding to an act of terrorism, as  
13 defined by s. 775.30, or other public safety crisis or  
14 emergency, and includes information relating to:

15 (a) Records, information, photographs, audio and visual  
16 presentations, schematic diagrams, surveys, recommendations, or  
17 consultations or portions thereof.

18 (b) Threat assessments conducted by any agency or private  
19 entity.

20 (c) Threat response plans.

21 (d) Emergency evacuation plans.

22 (e) Sheltering arrangements.

23 (f) Manuals for security personnel, emergency equipment, or  
24 security training.

25 (g) Security systems or plans.

26 (h) Vulnerability analyses.

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

29 (j) Postdisaster transportation.

30 (k) Supplies, including drug caches.

31 (l) Staffing.

32 (m) Emergency equipment.

33 (n) Individual identification of students, faculty, and  
34 staff; the transfer of records; and methods of responding to  
35 family inquiries.

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

39 (b) Any portion of a campus emergency response held by a



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40 state or local law enforcement agency, a county or municipal  
41 emergency management agency, the Executive Office of the  
42 Governor, the Department of Education, the Board of Governors of  
43 the State University System, or the Division of Emergency  
44 Management is exempt from s. 119.07(1) and s. 24(a), Art. I of  
45 the State Constitution.

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

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

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

57 Section 2. The Legislature finds that it is a public  
58 necessity that those portions of a campus emergency response  
59 held by a public postsecondary educational institution which  
60 address the response of a public postsecondary educational  
61 institution to an act of terrorism and those portions of a  
62 campus emergency response of a public postsecondary institution  
63 which are filed or shared with a state or local law enforcement  
64 agency, a county or municipal emergency management agency, the  
65 Executive Office of the Governor, the Department of Education,  
66 the Board of Governors of the State University System, or the  
67 Division of Emergency Management be made exempt from s.  
68 119.07(1), Florida Statutes, and s. 24(a), Article I of the



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69 State Constitution. It is also the finding of the Legislature  
70 that any portion of a public meeting which would reveal  
71 information related to a campus emergency response be made  
72 exempt from s. 286.011, Florida Statutes, and s. 24(b), Article  
73 I of the State Constitution. A campus emergency response affects  
74 the health and safety of the students, faculty, staff, and the  
75 public at large. If campus emergency responses were made  
76 publicly available for inspection or copying, they could be used  
77 to hamper or disable the response of a public postsecondary  
78 educational institution to an act of terrorism, or other public  
79 safety crisis or emergency. If a public postsecondary  
80 educational institution's response to these events were hampered  
81 or disabled, an increase in the number of Floridians subjected  
82 to fatal injury would occur. There is ample existing evidence of  
83 the capabilities of terrorists and other criminals to plot,  
84 plan, and coordinate complicated acts of terror and violence on  
85 university and college campuses all over the country. The  
86 aftermath of these events has also showed the importance of  
87 viable plans by which public postsecondary educational  
88 institutions can respond to terrorist attacks and other public  
89 safety crises or emergencies.

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

91  
92 ===== T I T L E A M E N D M E N T =====

93 And the title is amended as follows:

94 Delete everything before the enacting clause  
95 and insert:

96 A bill to be entitled  
97 An act relating to public records and public meetings;



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98 creating s. 1004.0962, F.S.; defining the term "campus  
99 emergency response"; providing an exemption from  
100 public records requirements for those portions of a  
101 campus emergency response which address the response  
102 of a public postsecondary educational institution to  
103 an act of terrorism or other public safety crisis or  
104 emergency; providing for retroactive application;  
105 providing an exemption from public meeting  
106 requirements for any portion of a public meeting which  
107 would reveal those portions of a campus emergency  
108 response which address the response of a public  
109 postsecondary educational institution to an act of  
110 terrorism or other public safety crisis or emergency;  
111 providing for future legislative review and repeal of  
112 the exemptions; providing a statement of public  
113 necessity; providing an effective date.