

1                                   A bill to be entitled  
 2           An act relating to public records and public meetings;  
 3           amending s. 119.071, F.S.; providing an exemption from  
 4           public records requirements for firesafety system  
 5           plans held by an agency; amending s. 281.301, F.S.;  
 6           providing an exemption from public records and public  
 7           meetings requirements for information relating to  
 8           firesafety systems for certain properties and meetings  
 9           relating to such systems and information; amending s.  
 10          286.0113, F.S.; providing an exemption from public  
 11          meetings requirements for portions of meetings that  
 12          would reveal firesafety system plans held by an  
 13          agency; providing for retroactive application;  
 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. Paragraph (a) of subsection (3) of section  
 21   119.071, Florida Statutes, is amended to read:

22           119.071 General exemptions from inspection or copying of  
 23   public records.—

24           (3) SECURITY AND FIRESAFETY.—

25           (a)1. As used in this paragraph, the term "security or

26 | firesafety system plan" includes all:

27 |       a. Records, information, photographs, audio and visual  
28 | presentations, schematic diagrams, surveys, recommendations, or  
29 | consultations or portions thereof relating directly to the  
30 | physical security or firesafety of the facility or revealing  
31 | security or firesafety 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 or firesafety personnel, emergency  
38 | equipment, or security or firesafety training.

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

41 |       a. Any property owned by or leased to the state or any of  
42 | its political subdivisions; or

43 |       b. Any privately owned or leased property

44 |  
45 | held by an agency is confidential and exempt from s. 119.07(1)  
46 | and s. 24(a), Art. I of the State Constitution. This exemption  
47 | is remedial in nature, and it is the intent of the Legislature  
48 | that this exemption apply to security or firesafety system plans  
49 | held by an agency before, on, or after the effective date of  
50 | this paragraph. This paragraph is subject to the Open Government

51 Sunset Review Act in accordance with s. 119.15 and shall stand  
 52 repealed on October 2, 2023, unless reviewed and saved from  
 53 repeal through reenactment by the Legislature.

54 3. Information made confidential and exempt by this  
 55 paragraph may be disclosed:

56 a. To the property owner or leaseholder;

57 b. In furtherance of the official duties and  
 58 responsibilities of the agency holding the information;

59 c. To another local, state, or federal agency in  
 60 furtherance of that agency's official duties and  
 61 responsibilities; or

62 d. Upon a showing of good cause before a court of  
 63 competent jurisdiction.

64 Section 2. Subsection (1) of section 281.301, Florida  
 65 Statutes, is amended to read:

66 281.301 Security and firesafety systems; records and  
 67 meetings exempt from public access or disclosure.—

68 (1) Information relating to the security or firesafety  
 69 systems for any property owned by or leased to the state or any  
 70 of its political subdivisions, and information relating to the  
 71 security or firesafety systems for any privately owned or leased  
 72 property which is in the possession of any agency as defined in  
 73 s. 119.011(2), including all records, information, photographs,  
 74 audio and visual presentations, schematic diagrams, surveys,  
 75 recommendations, or consultations or portions thereof relating

76 directly to or revealing such systems or information is  
 77 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 78 of the State Constitution, and any portion of a meeting ~~all~~  
 79 ~~meetings~~ relating directly to or that would reveal such systems  
 80 or information is ~~are~~ confidential and exempt from s. 286.011  
 81 and s. 24(b), Art. I of the State Constitution, ~~ss. 119.07(1)~~  
 82 ~~and 286.011~~ and other laws and rules requiring public access or  
 83 disclosure. This subsection is subject to the Open Government  
 84 Sunset Review Act in accordance with s. 119.15 and shall stand  
 85 repealed on October 2, 2023, unless reviewed and saved from  
 86 repeal through reenactment by the Legislature.

87 Section 3. Subsection (1) of section 286.0113, Florida  
 88 Statutes, is amended to read:

89 286.0113 General exemptions from public meetings.—

90 (1) That portion of a meeting that would reveal a security  
 91 or firesafety system plan or portion thereof made confidential  
 92 and exempt by s. 119.071(3)(a) is exempt from s. 286.011 and s.  
 93 24(b), Art. I of the State Constitution. This subsection is  
 94 subject to the Open Government Sunset Review Act in accordance  
 95 with s. 119.15 and shall stand repealed on October 2, 2023,  
 96 unless reviewed and saved from repeal through reenactment by the  
 97 Legislature.

98 Section 4. (1) The Legislature finds that it is a public  
 99 necessity that:

100 (a) Firesafety system plans held by an agency be made

101 confidential and exempt from s. 119.07(1), Florida Statutes, and  
102 s. 24(a), Art. I of the State Constitution.

103 (b) Information relating to firesafety systems for any  
104 property owned by or leased to the state or any of its political  
105 subdivisions or which is in the possession of an agency be made  
106 confidential and exempt from s. 119.07(1), Florida Statutes, and  
107 s. 24(a), Art. I of the State Constitution, and any portion of a  
108 meeting relating directly to or that would reveal such systems  
109 or information be made confidential and exempt from s. 286.011,  
110 Florida Statutes, and s. 24(b), Art. I of the State  
111 Constitution.

112 (c) Any portion of a meeting revealing firesafety system  
113 plans held by an agency be made confidential and exempt from s.  
114 286.011, Florida Statutes, and s. 24(b), Art. I of the State  
115 Constitution.

116 (2) As firesafety systems become more connected and  
117 integrated with security systems, this connectivity and  
118 integration exposes such systems to threats intended to disable  
119 their operation. Disabling a firesafety system could impact the  
120 safety of individuals within the building and the integrity of  
121 the building's security system. Maintaining safe and reliable  
122 firesafety systems is vital to protecting the public health and  
123 safety and ensuring the economic well-being of the state.  
124 Disclosure of sensitive information relating to firesafety  
125 systems could result in identification of vulnerabilities in

126 such systems and allow a security breach that could damage  
127 firesafety systems and disrupt their safe and reliable  
128 operation, adversely impacting the public health and safety and  
129 economic well-being of the state. Because of the interconnected  
130 nature of firesafety and security systems, such a security  
131 breach may also impact security systems. As a result, the  
132 Legislature finds that the public and private harm in disclosing  
133 the information made exempt by this act outweighs any public  
134 benefit derived from the disclosure of such information. The  
135 protection of information made exempt by this act will ensure  
136 that firesafety systems are better protected against security  
137 threats and will bolster efforts to develop more resilient  
138 firesafety systems. Therefore, the Legislature finds that it is  
139 a public necessity to make firesafety system plans held by an  
140 agency and information relating to firesafety systems for  
141 certain properties exempt from public records and public  
142 meetings requirements.

143 (3) The Legislature further finds that these public  
144 meetings and public records exemptions must be given retroactive  
145 application because they are remedial in nature.

146 Section 5. This act shall take effect upon becoming a law.