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HB 7007

2023 Legislature

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 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 119.071, F.S., which
 4 provides an exemption from public records requirements
 5 for certain security or firesafety system plans;
 6 removing the scheduled repeal of the exemption;
 7 repealing s. 281.301, F.S., relating to security and
 8 firesafety systems; amending s. 286.0113, F.S., which
 9 provides an exemption from public meeting requirements
 10 for the portion of a meeting that would reveal a
 11 security or firesafety system plan or portion thereof;
 12 removing the scheduled repeal of the exemption;
 13 amending s. 1006.1493, F.S.; conforming a provision to
 14 changes made by the act; providing an effective date.

15

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

17

18 Section 1. Paragraph (a) of subsection (3) of section
 19 119.071, Florida Statutes, is amended to read:

20 119.071 General exemptions from inspection or copying of
 21 public records.—

22 (3) SECURITY AND FIRESAFETY.—

23 (a)1. As used in this paragraph, the term "security or
 24 firesafety system plan" includes all:

25 a. Records, information, photographs, audio and visual

ENROLLED

HB 7007

2023 Legislature

26 presentations, schematic diagrams, surveys, recommendations, or
 27 consultations or portions thereof relating directly to the
 28 physical security or firesafety of the facility or revealing
 29 security or firesafety systems;

30 b. Threat assessments conducted by any agency or any
 31 private entity;

32 c. Threat response plans;

33 d. Emergency evacuation plans;

34 e. Sheltering arrangements; or

35 f. Manuals for security or firesafety personnel, emergency
 36 equipment, or security or firesafety training.

37 2. A security or firesafety system plan or portion thereof
 38 for:

39 a. Any property owned by or leased to the state or any of
 40 its political subdivisions; or

41 b. Any privately owned or leased property

42
 43 held by an agency is confidential and exempt from s. 119.07(1)
 44 and s. 24(a), Art. I of the State Constitution. This exemption
 45 is remedial in nature, and it is the intent of the Legislature
 46 that this exemption apply to security or firesafety system plans
 47 held by an agency before, on, or after April 6, 2018 the
 48 ~~effective date of this paragraph. This paragraph is subject to~~
 49 ~~the Open Government Sunset Review Act in accordance with s.~~
 50 ~~119.15 and shall stand repealed on October 2, 2023, unless~~

ENROLLED

HB 7007

2023 Legislature

51 ~~reviewed and saved from repeal through reenactment by the~~
 52 ~~Legislature.~~

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

55 a. To the property owner or leaseholder;

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

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

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

63 Section 2. Section 281.301, Florida Statutes, is repealed.

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

66 286.0113 General exemptions from public meetings.—

67 (1) That portion of a meeting that would reveal a security
 68 or firesafety system plan or portion thereof made confidential
 69 and exempt by s. 119.071(3)(a) is exempt from s. 286.011 and s.
 70 24(b), Art. I of the State Constitution. ~~This subsection is~~
 71 ~~subject to the Open Government Sunset Review Act in accordance~~
 72 ~~with s. 119.15 and shall stand repealed on October 2, 2023,~~
 73 ~~unless reviewed and saved from repeal through reenactment by the~~
 74 ~~Legislature.~~

75 Section 4. Subsection (5) of section 1006.1493, Florida

ENROLLED

HB 7007

2023 Legislature

76 Statutes, is amended to read:

77 1006.1493 Florida Safe Schools Assessment Tool.—

78 (5) In accordance with s. 119.071(3)(a) ~~ss. 119.071(3)(a)~~

79 ~~and 281.301~~, data and information related to security risk

80 assessments administered pursuant to this section and s.

81 1006.07(6) and the security information contained in the annual

82 report required pursuant to subsection (4) are confidential and

83 exempt from public records requirements.

84 Section 5. This act shall take effect October 1, 2023.