



850438

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2023	.	
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The Committee on Rules (Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(3) SECURITY AND FIRESAFETY.—

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



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- 12 a. Records, information, photographs, audio and visual
13 presentations, schematic diagrams, surveys, recommendations, or
14 consultations or portions thereof relating directly to the
15 physical security or firesafety of the facility or revealing
16 security or firesafety systems;
- 17 b. Threat assessments conducted by any agency or any
18 private entity;
- 19 c. Threat response plans;
- 20 d. Emergency evacuation plans;
- 21 e. Sheltering arrangements; or
- 22 f. Manuals for security or firesafety personnel, emergency
23 equipment, or security or firesafety training.
- 24 2. A security or firesafety system plan or portion thereof
25 for:
- 26 a. Any property owned by or leased to the state or any of
27 its political subdivisions; or
- 28 b. Any privately owned or leased property
29
- 30 held by an agency is confidential and exempt from s. 119.07(1)
31 and s. 24(a), Art. I of the State Constitution. This exemption
32 is remedial in nature, and it is the intent of the Legislature
33 that this exemption apply to security or firesafety system plans
34 held by an agency before, on, or after April 6, 2018 ~~the~~
35 ~~effective date of this paragraph. This paragraph is subject to~~
36 ~~the Open Government Sunset Review Act in accordance with s.~~
37 ~~119.15 and shall stand repealed on October 2, 2023, unless~~
38 ~~reviewed and saved from repeal through reenactment by the~~
39 ~~Legislature.~~
- 40 3. Information made confidential and exempt by this



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41 paragraph may be disclosed:

42 a. To the property owner or leaseholder;

43 b. In furtherance of the official duties and
44 responsibilities of the agency holding the information;

45 c. To another local, state, or federal agency in
46 furtherance of that agency's official duties and
47 responsibilities; or

48 d. Upon a showing of good cause before a court of competent
49 jurisdiction.

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

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

53 286.0113 General exemptions from public meetings.—

54 (1) That portion of a meeting that would reveal a security
55 or firesafety system plan or portion thereof made confidential
56 and exempt by s. 119.071(3)(a) is exempt from s. 286.011 and s.
57 24(b), Art. I of the State Constitution. ~~This subsection is
58 subject to the Open Government Sunset Review Act in accordance
59 with s. 119.15 and shall stand repealed on October 2, 2023,
60 unless reviewed and saved from repeal through reenactment by the
61 Legislature.~~

62 Section 4. Subsection (5) of section 1006.1493, Florida
63 Statutes, is amended to read:

64 1006.1493 Florida Safe Schools Assessment Tool.—

65 (5) In accordance with s. 119.071(3)(a) ~~ss. 119.071(3)(a)~~
66 ~~and 281.301~~, data and information related to security risk
67 assessments administered pursuant to this section and s.
68 1006.07(6) and the security information contained in the annual
69 report required pursuant to subsection (4) are confidential and



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70 exempt from public records requirements.

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

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73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete everything before the enacting clause

76 and insert:

77 A bill to be entitled

78 An act relating to a review under the Open Government
79 Sunset Review Act; amending s. 119.071, F.S., which
80 provides an exemption from public records requirements
81 for certain security or firesafety system plans;
82 revising legislative intent; removing the scheduled
83 repeal of the exemption; repealing s. 281.301, F.S.,
84 relating to security and firesafety systems; amending
85 s. 286.0113, F.S., which provides an exemption from
86 public meeting requirements for the portion of a
87 meeting that would reveal a security or firesafety
88 system plan or portion thereof; removing the scheduled
89 repeal of the exemption; amending s. 1006.1493, F.S.;
90 conforming a provision to changes made by the act;
91 providing an effective date.