

By the Committee on Banking and Insurance

597-02919-23

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1                   A bill to be entitled  
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 security or firesafety system plans held by an  
6           agency; removing the scheduled repeal of the  
7           exemption; amending s. 281.301, F.S., which provides  
8           an exemption from public records and public meetings  
9           requirements for information relating to security or  
10          firesafety systems for certain properties and meetings  
11          relating to such systems and information; removing the  
12          scheduled repeal of the exemptions; amending s.  
13          286.0113, F.S., which provides an exemption from  
14          public meetings requirements for portions of meetings  
15          that would reveal security or firesafety system plans  
16          held by an agency; removing the scheduled repeal of  
17          the exemption; providing an effective date.

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

20  
21           Section 1. Paragraph (a) of subsection (3) of section  
22           119.071, Florida Statutes, is amended to read:

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

25           (3) SECURITY AND FIRESAFETY.—

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

28           a. Records, information, photographs, audio and visual  
29           presentations, schematic diagrams, surveys, recommendations, or

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30 consultations or portions thereof relating directly to the  
31 physical security or firesafety of the facility or revealing  
32 security or firesafety systems;

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

35       c. Threat response plans;

36       d. Emergency evacuation plans;

37       e. Sheltering arrangements; or

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

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

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

44       b. Any privately owned or leased property

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

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

57       a. To the property owner or leaseholder;

58       b. In furtherance of the official duties and

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59 responsibilities of the agency holding the information;

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

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

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

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

69 (1) Information relating to the security or firesafety  
70 systems for any property owned by or leased to the state or any  
71 of its political subdivisions, and information relating to the  
72 security or firesafety systems for any privately owned or leased  
73 property which is in the possession of any agency as defined in  
74 s. 119.011(2), including all records, information, photographs,  
75 audio and visual presentations, schematic diagrams, surveys,  
76 recommendations, or consultations or portions thereof relating  
77 directly to or revealing such systems or information is  
78 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
79 of the State Constitution, and any portion of a meeting relating  
80 directly to or that would reveal such systems or information is  
81 exempt from s. 286.011 and s. 24(b), Art. I of the State  
82 Constitution, and other laws and rules requiring public access  
83 or 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

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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. This act shall take effect October 1, 2023.