

By the Committees on Rules; and Banking and Insurance

595-04041-23

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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 certain security or firesafety system plans;  
6       revising legislative intent; removing the scheduled  
7       repeal of the exemption; repealing s. 281.301, F.S.,  
8       relating to security and firesafety systems; amending  
9       s. 286.0113, F.S., which provides an exemption from  
10      public meeting requirements for the portion of a  
11      meeting that would reveal a security or firesafety  
12      system plan or portion thereof; removing the scheduled  
13      repeal of the exemption; amending s. 1006.1493, F.S.;  
14      conforming a provision to changes made by the act;  
15      providing an effective date.

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

18  
19       Section 1. Paragraph (a) of subsection (3) of section  
20       119.071, Florida Statutes, is amended to read:

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

23       (3) SECURITY AND FIRESAFETY.—

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

26       a. Records, information, photographs, audio and visual  
27       presentations, schematic diagrams, surveys, recommendations, or  
28       consultations or portions thereof relating directly to the  
29       physical security or firesafety of the facility or revealing

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30 security or firesafety systems;

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

33 c. Threat response plans;

34 d. Emergency evacuation plans;

35 e. Sheltering arrangements; or

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

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

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

42 b. Any privately owned or leased property

43  
44 held by an agency is confidential and exempt from s. 119.07(1)  
45 and s. 24(a), Art. I of the State Constitution. This exemption  
46 is remedial in nature, and it is the intent of the Legislature  
47 that this exemption apply to security or firesafety system plans  
48 held by an agency before, on, or after April 6, 2018 the  
49 ~~effective date of this paragraph. This paragraph is subject to~~  
50 ~~the Open Government Sunset Review Act in accordance with s.~~  
51 ~~119.15 and shall stand repealed on October 2, 2023, unless~~  
52 ~~reviewed and saved from repeal through reenactment by the~~  
53 ~~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;

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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 competent  
63 jurisdiction.

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

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

67 286.0113 General exemptions from public meetings.—

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

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

78 1006.1493 Florida Safe Schools Assessment Tool.—

79 (5) In accordance with s. 119.071(3)(a) ~~ss. 119.071(3)(a)~~  
80 ~~and 281.301~~, data and information related to security risk  
81 assessments administered pursuant to this section and s.  
82 1006.07(6) and the security information contained in the annual  
83 report required pursuant to subsection (4) are confidential and  
84 exempt from public records requirements.

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