

By Senator Collins

14-01900-25

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1 A bill to be entitled  
2 An act relating to public records and meetings;  
3 amending s. 943.0315, F.S.; providing an exemption  
4 from public record requirements for a certain report  
5 on adversarial threats produced by the Chief of  
6 Domestic Security; providing an exemption from public  
7 record requirements for notifications provided to  
8 owners and operators of critical infrastructure and  
9 other assets; providing an exemption from public  
10 meeting requirements for meetings of the Council on  
11 Pacific Conflict in which such reports or  
12 notifications are provided or discussed; providing for  
13 future legislative review and repeal; providing  
14 statements of public necessity; providing a contingent  
15 effective date.

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

18  
19 Section 1. Paragraphs (c) and (f) of subsection (7) of  
20 section 943.0315, Florida Statutes, as created by SB 912 or  
21 similar legislation, are amended, to read:

22 943.0315 Pacific Conflict Stress Test.—

23 (7) REPORT ON ADVERSARIAL THREATS TO STATE ASSETS, CRITICAL  
24 INFRASTRUCTURE, AND MILITARY INSTALLATIONS.—

25 (c)1. No later than July 1, 2026, the Chief of Domestic  
26 Security shall produce a report on adversarial threats to state  
27 assets and critical infrastructure and military installations  
28 which must be available to the Governor and the members of the  
29 Council on Pacific Conflict. The report must include all of the

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30 following:

31 ~~a.1.~~ Critical and other assets identified under paragraph  
32 (b), including the specific risks posed to each infrastructure  
33 system or asset in the event of a Pacific conflict.

34 ~~b.2.~~ Mitigation strategies and recommendations to limit or  
35 eliminate the risk posed to the critical infrastructure,  
36 military installations, or other assets in the event of a  
37 Pacific conflict; and mitigation strategies and recommendations  
38 that limit or eliminate the risk posed to the safety and  
39 security of this state or nation in the event of a Pacific  
40 conflict.

41 ~~c.3.~~ A risk-based list of critical infrastructure, military  
42 installations, and other assets identified under paragraph (b),  
43 the order of which must be determined by the degree to which:

44 ~~(I)a.~~ Each critical infrastructure system, military  
45 installations, or other assets is in need of protective action;  
46 and

47 ~~(II)b.~~ The debilitation of each critical infrastructure  
48 system, military installations, or other assets would threaten  
49 the safety and security of this state and the nation.

50 2. The report produced pursuant to this paragraph is  
51 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
52 of the State Constitution. This subparagraph is subject to the  
53 Open Government Sunset Review Act in accordance with s. 119.15  
54 and shall stand repealed on October 2, 2030, unless reviewed and  
55 saved from repeal through reenactment by the Legislature.

56 (f) The Chief of Domestic Security, in coordination with  
57 state agencies, shall notify owners and operators of critical  
58 infrastructure and other assets identified under paragraph (b)

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59 as having been identified as a potential target of malicious  
60 actions by adversarial nations in the event of a Pacific  
61 conflict. Such notification must ensure that owners and  
62 operators are provided the basis for the determination made  
63 under paragraph (b). Such notification is confidential and  
64 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
65 Constitution. Any portion of a meeting of the Council on Pacific  
66 Conflict during which such notifications are discussed or the  
67 report produced under paragraph (c) is provided or discussed or  
68 any other information is disclosed that is confidential or  
69 exempt from public disclosure is exempt from s. 286.011 and s.  
70 24(b), Art. I of the State Constitution. This paragraph is  
71 subject to the Open Government Sunset Review Act in accordance  
72 with s. 119.15 and shall stand repealed on October 2, 2030,  
73 unless reviewed and saved from repeal through reenactment by the  
74 Legislature.

75 Section 2. (1) The Legislature finds that it is a public  
76 necessity that the report on adversarial threats to state assets  
77 and critical infrastructure, military installations, and other  
78 assets be made confidential and exempt from s. 119.07(1),  
79 Florida Statutes, and s. 24(a), Article I of the State  
80 Constitution. Such report may contain information identifying  
81 vulnerabilities in critical infrastructure, state assets, and  
82 military installations, the disclosure of which could lead to  
83 malicious acts by bad actors.

84 (2) The Legislature further finds that it is a public  
85 necessity that the notifications sent to owners or operators of  
86 critical infrastructure and other assets that have been  
87 identified as a potential target of malicious actions by

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88 adversarial nations in the event of a Pacific conflict be exempt  
89 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of  
90 the State Constitution. Such notifications may contain national  
91 or state security information that, if made publicly available,  
92 could increase the potential threats to the owners and operators  
93 of critical infrastructure or other assets.

94 (3) The Legislature further finds that it is a public  
95 necessity that any portion of a meeting of the Council on  
96 Pacific Conflict during which confidential or confidential and  
97 exempt information is discussed be exempt from s. 286.011,  
98 Florida Statutes, and s. 24(b), Article I of the State  
99 Constitution. Public discussion of vulnerabilities in critical  
100 infrastructure, state assets, or military installations and  
101 identification of the owners and operators of such critical  
102 infrastructure would defeat the purpose of such information  
103 being protected from disclosure. The ability of the council to  
104 discuss matters of state and national security is beneficial in  
105 the formulation of policy to protect critical infrastructure,  
106 state assets, and military installations.

107 Section 3. This act shall take effect on the same day that  
108 SB 912 or similar legislation takes effect, if such legislation  
109 is adopted in the same legislative session or an extension  
110 thereof and becomes a law.