

Committee Substitute for Senate Bill No. 1182

An act relating to public records; amending s. 119.071, F.S., relating to an exemption from public-records requirements which applies to certain security system plans; creating an exception to the exemption; providing an effective date.

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

Section 1. Section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—A security system plan or portion thereof for:

- (1) Any property owned by or leased to the state or any of its political subdivisions; or
- (2) Any privately owned or leased property

which plan or portion thereof is ~~held by in the possession of~~ any agency, as defined in s. 119.011, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. As used in this section, the term a “security system plan” includes all records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to the physical security of the facility or revealing security systems; threat assessments conducted by any agency as defined in s. 119.011 or any private entity; threat response plans; emergency evacuation plans; sheltering arrangements; or manuals for security personnel, emergency equipment, or security training. This exemption is remedial in nature and it is the intent of the Legislature that this exemption be applied to security system plans held received by an agency before, on, or after the effective date of this section. Information made confidential and exempt by this section may be disclosed by the custodial agency to the property owner or leaseholder; or such information may be disclosed by the custodial agency to another state or federal agency to prevent, detect, guard against, respond to, investigate, or manage the consequences of any attempted or actual act of terrorism, or to prosecute those persons who are responsible for such attempts or acts, and the confidential and exempt status of such information shall be retained while in the possession of the receiving agency. This section is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 21, 2003.

Filed in Office Secretary of State May 21, 2003.