

CHAPTER 2025-90

Senate Bill No. 7006

An act relating to public records and meetings; amending s. 119.071, F.S.; expanding an exemption from public records requirements for certain components of 911, E911, and public safety radio communication systems to include NG911 systems; extending the date for future legislative review and repeal of the exemption; amending s. 286.0113, F.S.; expanding an exemption from public meetings requirements for certain portions of meetings that would reveal certain components of 911, E911, and public safety radio communication systems to include NG911 systems; extending the date for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Paragraph (e) 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.—

(e)1.a. Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, NG911, or public safety radio communication system infrastructure, including towers, antennas antennae, equipment or facilities used to provide 911, E911, NG911, or public safety radio communication services, or other 911, E911, NG911, or public safety radio communication structures or facilities owned and operated by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

b. Geographical maps indicating the actual or proposed locations of 911, E911, NG911, or public safety radio communication system infrastructure, including towers, antennas antennae, equipment or facilities used to provide 911, E911, NG911, or public safety radio services, or other 911, E911, NG911, or public safety radio communication structures or facilities owned and operated by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, NG911, or public safety radio communication system infrastructure or other 911, E911, NG911, or public safety radio communication structures or facilities owned and operated by an agency, and geographical maps indicating actual or proposed locations of 911, E911, NG911, or public safety radio communication system

infrastructure or other 911, E911, NG911, or public safety radio communication structures or facilities owned and operated by an agency, before, on, or after the effective date of this act.

3. Information made exempt by this paragraph may be disclosed:

a. To another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities;

b. To a licensed architect, engineer, or contractor who is performing work on or related to the 911, E911, NG911, or public safety radio communication system infrastructure, including towers, ~~antennas~~ antennae, equipment or facilities used to provide 911, E911, NG911, or public safety radio communication services, or other 911, E911, NG911, or public safety radio communication structures or facilities owned and operated by an agency; or

c. Upon a showing of good cause before a court of competent jurisdiction.

4. The entities or persons receiving such information must maintain the exempt status of the information.

5. For purposes of this paragraph, the term “public safety radio” is defined as the means of communication between and among 911 public safety answering points, dispatchers, and first responder agencies using those portions of the radio frequency spectrum designated by the Federal Communications Commission under 47 C.F.R. part 90 for public safety purposes.

6. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030 ~~2025~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. Subsection (4) of section 286.0113, Florida Statutes, is amended to read:

286.0113 General exemptions from public meetings.—

(4)(a) Any portion of a meeting that would reveal building plans, blueprints, schematic drawings, or diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, NG911, or public safety radio communication system infrastructure, including towers, ~~antennas~~ antennae, equipment or facilities used to provide 911, E911, NG911, or public safety radio communication services, or other 911, E911, NG911, or public safety radio communication structures or facilities made exempt by s. 119.071(3)(e)1.a. is exempt from s. 286.011 and s. 24, Art. I of the State Constitution.

(b) Any portion of a meeting that would reveal geographical maps indicating the actual or proposed locations of 911, E911, NG911, or public safety radio communication system infrastructure, including towers,

antennas antennae, equipment or facilities used to provide 911, E911, NG911, or public safety radio communication services, or other 911, E911, NG911, or public safety radio communication structures or facilities made exempt by s. 119.071(3)(e)1.b. is exempt from s. 286.011 and s. 24, Art. I of the State Constitution.

(c) No portion of an exempt meeting under paragraph (a) or paragraph (b) may be off the record. All exempt portions of such meeting shall be recorded and transcribed. Such recordings and transcripts are confidential and exempt from disclosure under s. 119.07(1) and s. 24(a), Art. I of the State Constitution unless a court of competent jurisdiction, after an in camera review, determines that the meeting was not restricted to the discussion of the information made exempt by s. 119.071(3)(e)1.a. or b. In the event of such a judicial determination, only that portion of the recording and transcript which reveals nonexempt information may be disclosed to a third party.

(d) For purposes of this subsection, the term “public safety radio” is defined as the means of communication between and among 911 public safety answering points, dispatchers, and first responder agencies using those portions of the radio frequency spectrum designated by the Federal Communications Commission under 47 C.F.R. part 90 for public safety purposes.

(e) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030 2025, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 3. The Legislature finds that it is a public necessity that building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, NG911, or public safety radio communication system infrastructure, including towers, antennas, equipment, or facilities used to provide 911, E911, NG911, or public safety radio communication services, and other 911, E911, NG911, or public safety radio communication structures or facilities owned and operated by an agency, and geographical maps indicating the actual or proposed locations of such communication system infrastructure, structures, or facilities be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution to ensure the security of emergency communication infrastructure, structures, and facilities. The Legislature finds that it is a public necessity that any portion of a meeting revealing such documents and maps held by an agency be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Article I of the State Constitution. Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, received and held by counties, municipalities, and other governmental agencies which depict the structural elements of 911, E911, NG911, or public safety radio communication system infrastructure, structures, and facilities are currently subject to release as public records upon request. Similarly, geographical maps showing the present or proposed locations of such 911,

E911, NG911, or public safety radio communication system infrastructure, structures, and facilities which are in the possession of counties, municipalities, and other governmental agencies are also subject to release as public records upon request. Counties, municipalities, and other governmental agencies may review the building plans or geographical maps to ensure compliance with land development regulations, building codes, agency rules, and standards to protect the public health and safety. These building plans include diagrams and schematic drawings of emergency communication systems, electrical systems, and other physical plant and security details which depict the structural elements of such emergency communications facilities and structures. Such 911, E911, NG911, and public safety radio communication facilities, including towers and antennas, are a vital link in the chain of survival. This critical infrastructure must be protected because any disruption during an active shooter or other terror event is very likely to result in greater loss of life and property damage. To function properly, towers and antennas need to be visible, increasing the security risk of such facilities. Because architectural and engineering plans reviewed and held by counties, municipalities, and other government agencies include information about towers, equipment, ancillary facilities, critical systems, and restricted areas, these plans could be used by criminals or terrorists to examine the physical plant for vulnerabilities. Information contained in these documents could aid in the planning of, training for, and execution of criminal actions, including cybercrime, arson, and terrorism. Consequently, the Legislature finds that it is a public necessity to exempt such information from public records and public meetings requirements to reduce exposure to security threats and to protect the public.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 23, 2025.

Filed in Office Secretary of State May 23, 2025.