

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/SB 1004 — Public Records/Security System Plans

by Community Affairs Committee and Senator Hays

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business. This applies to the official business of any public body, officer or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.

In addition to the Florida Constitution, the Florida Statutes provide that the public may access legislative and executive branch records. Chapter 119, F.S., constitutes the main body of public records laws, and is known as the Public Records Act. The Public Records Act states that "...it is the policy of this state that all state, county and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency."

A security system plan for any property owned by or leased to the state or any of its political subdivisions, or any privately owned or leased property held by an agency, is confidential and exempt from disclosure under ch. 119, F.S., and the Florida Constitution. Records designated as confidential and exempt may be released by the records custodian only under the circumstances defined by the Legislature.

The bill provides additional circumstances under which information regarding security system plans which is otherwise confidential and exempt may be disclosed. Such information may now be disclosed to the property owner or leaseholder; in furtherance of the official duties and responsibilities of the agency holding the information; to another local, state, or federal agency in the furtherance of that agency's official duties and responsibilities; or upon a showing of good cause before a court of competent jurisdiction.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 36-0; House 115-1