

By the Committee on Community Affairs; and Senator Hays

578-02303A-16

20161004c1

1 A bill to be entitled

2 An act relating to security system plans; amending s.
3 119.071, F.S.; revising exceptions to a public records
4 exemption; amending s. 281.301, F.S.; providing
5 exceptions to a public records exemption; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Paragraph (a) of subsection (3) of section
11 119.071, Florida Statutes, is amended to read:

12 119.071 General exemptions from inspection or copying of
13 public records.—

14 (3) SECURITY.—

15 (a)1. As used in this paragraph, the term "security system
16 plan" includes all:

17 a. Records, information, photographs, audio and visual
18 presentations, schematic diagrams, surveys, recommendations, or
19 consultations or portions thereof relating directly to the
20 physical security of the facility or revealing security systems;

21 b. Threat assessments conducted by any agency or any
22 private entity;

23 c. Threat response plans;

24 d. Emergency evacuation plans;

25 e. Sheltering arrangements; or

26 f. Manuals for security personnel, emergency equipment, or
27 security training.

28 2. A security system plan or portion thereof for:

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

31 b. Any privately owned or leased property
32

578-02303A-16

20161004c1

33 held by an agency is confidential and exempt from s. 119.07(1)
34 and s. 24(a), Art. I of the State Constitution. This exemption
35 is remedial in nature, and it is the intent of the Legislature
36 that this exemption apply to security system plans held by an
37 agency before, on, or after the effective date of this
38 paragraph.

39 3. Information made confidential and exempt by this
40 paragraph may be disclosed ~~by the custodian of public records~~
41 ~~to:~~

42 a. To the property owner or leaseholder; ~~or~~

43 b. In furtherance of the official duties and
44 responsibilities of the agency holding the information; ~~Another~~
45 ~~state or federal agency to prevent, detect, guard against,~~
46 ~~respond to, investigate, or manage the consequences of any~~
47 ~~attempted or actual act of terrorism, or to prosecute those~~
48 ~~persons who are responsible for such attempts or acts~~

49 c. To another local, state, or federal agency in
50 furtherance of that agency's official duties and
51 responsibilities; or

52 d. Upon a showing of good cause before a court of competent
53 jurisdiction.

54 Section 2. Section 281.301, Florida Statutes, is amended,
55 to read:

56 281.301 Security systems; records and meetings exempt from
57 public access or disclosure.—

58 (1) Information relating to the security systems for any
59 property owned by or leased to the state or any of its political
60 subdivisions, and information relating to the security systems
61 for any privately owned or leased property which is in the

578-02303A-16

20161004c1

62 possession of any agency as defined in s. 119.011(2), including
63 all records, information, photographs, audio and visual
64 presentations, schematic diagrams, surveys, recommendations, or
65 consultations or portions thereof relating directly to or
66 revealing such systems or information, and all meetings relating
67 directly to or that would reveal such systems or information are
68 confidential and exempt from ss. 119.07(1) and 286.011 and other
69 laws and rules requiring public access or disclosure.

70 (2) Information made confidential and exempt by this
71 section may be disclosed:

72 (a) To the property owner or leaseholder;

73 (b) In furtherance of the official duties and
74 responsibilities of the agency holding the information;

75 (c) To another local, state, or federal agency in
76 furtherance of that agency's official duties and
77 responsibilities; or

78 (d) Upon a showing of good cause before a court of
79 competent jurisdiction.

80 Section 3. This act shall take effect upon becoming a law.