

By Senator Thurston

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1 A bill to be entitled
2 An act relating to public records and meetings;
3 amending s. 119.071, F.S.; providing an exemption from
4 public records requirements for certain documents that
5 depict the structural elements of certain 911 or E911
6 communication system infrastructure, structures, or
7 facilities; providing an exemption from public records
8 requirements for geographical maps indicating the
9 actual or proposed locations of certain 911 or E911
10 communication system infrastructure, structures, or
11 facilities; providing for retroactive application;
12 authorizing disclosure under certain circumstances;
13 providing for future legislative review and repeal of
14 the exemptions; amending s. 286.0113, F.S.; providing
15 an exemption from public meetings requirements for
16 portions of meetings which would reveal certain
17 documents depicting the structural elements of 911 or
18 E911 communication system infrastructure, structures,
19 or facilities, or geographic maps indicating the
20 actual or proposed locations of 911 or E911
21 communication system infrastructure, structures, or
22 facilities; providing for future legislative review
23 and repeal of the exemptions; providing a statement of
24 public necessity; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:
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28 Section 1. Paragraph (e) is added to subsection (3) of
29 section 119.071, Florida Statutes, to read:

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30 119.071 General exemptions from inspection or copying of
31 public records.—

32 (3) SECURITY AND FIRESAFETY.—

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

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

48 2. This exemption applies to building plans, blueprints,
49 schematic drawings, and diagrams, including draft, preliminary,
50 and final formats, which depict the structural elements of 911
51 or E911 communication system infrastructure or other 911 and
52 E911 communication structures or facilities owned and operated
53 by an agency, and geographical maps indicating actual or
54 proposed locations of 911 or E911 communication system
55 infrastructure or other 911 or E911 communication structures or
56 facilities owned and operated by an agency, before, on, or after
57 the effective date of this act.

58 3. Information made exempt by this paragraph may be

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59 disclosed:

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

63 b. To a licensed architect, engineer, or contractor who is
64 performing work on or related to the 911 or E911 communication
65 system infrastructure, including towers, antennae, equipment or
66 facilities used to provide 911 or E911 communication services,
67 or other 911 or E911 communication structures or facilities
68 owned and operated by an agency; or

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

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

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

77 Section 2. Subsection (4) is added to section 286.0113,
78 Florida Statutes, to read:

79 286.0113 General exemptions from public meetings.-

80 (4) (a) Any portion of a meeting that would reveal building
81 plans, blueprints, schematic drawings, or diagrams, including
82 draft, preliminary, and final formats, which depict the
83 structural elements of 911 or E911 communication system
84 infrastructure, including towers, antennae, equipment or
85 facilities used to provide 911 or E911 communication services,
86 or other 911 and E911 communication structures or facilities
87 made exempt by s. 119.071(3)(e)1.a. is exempt from s. 286.011

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88 and s. 24, Art. I of the State Constitution.

89 (b) Any portion of a meeting that would reveal geographical
90 maps indicating the actual or proposed locations of 911 or E911
91 communication system infrastructure, including towers, antennae,
92 equipment or facilities used to provide 911 or E911
93 communication services, or other 911 or E911 communication
94 structures or facilities made exempt by s. 119.071(3)(e)1.b. is
95 exempt from s. 286.011 and s. 24, Art. I of the State
96 Constitution.

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

101 Section 3. The Legislature finds that it is a public
102 necessity that building plans, blueprints, schematic drawings,
103 and diagrams, including draft, preliminary, and final formats,
104 which depict the structural elements of 911 or E911
105 communication system infrastructure, including towers, antennae,
106 equipment or facilities used to provide 911 or E911
107 communication services, and other 911 or E911 communication
108 structures or facilities owned and operated by an agency, and
109 geographic maps indicating the actual or proposed locations of
110 such communication system infrastructure, structures, or
111 facilities should be made exempt from s. 119.07(1), Florida
112 Statutes, and s. 24(a), Article I of the State Constitution to
113 ensure the security of emergency communication infrastructure,
114 structures, and facilities. In addition, the Legislature finds
115 that it is a public necessity that any portion of a meeting
116 revealing such documents and maps that are held by an agency

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117 should be made exempt from s. 286.011, Florida Statutes, and s.
118 24(b), Article I of the State Constitution. Building plans,
119 blueprints, schematic drawings, and diagrams, including draft,
120 preliminary, and final formats, received and held by counties,
121 municipalities, and other governmental agencies that depict the
122 structural elements of 911 or E911 communication system
123 infrastructure, structures, and facilities are currently subject
124 to release as public records upon request. Similarly,
125 geographical maps showing the present or proposed locations of
126 such 911 or E911 communication system infrastructure,
127 structures, and facilities that are in the possession of
128 counties, municipalities, and other governmental agencies are
129 also subject to release as public records upon request.
130 Counties, municipalities and other governmental agencies may
131 review the building plans or geographical maps to ensure
132 compliance with land development regulations, building codes,
133 agency rules, and standards to protect the public health and
134 safety. These building plans include diagrams and schematic
135 drawings of emergency communication systems, electrical systems,
136 and other physical plant and security details which depict the
137 structural elements of such emergency communication facilities
138 and structures. 911 and E911 communication facilities, including
139 towers and antennae, are a vital link in the chain of survival.
140 Such critical infrastructure must be protected as any disruption
141 during an active shooter or other terror event is very likely to
142 result in greater loss of life and property damage. To function
143 properly, towers and antennae need to be visible, increasing the
144 security risk of such facilities. Because architectural and
145 engineering plans reviewed and held by counties, municipalities

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146 and other government agencies include information about towers,
147 equipment, ancillary facilities, critical systems, and
148 restricted areas, these plans could be used by criminals or
149 terrorists to examine the physical plant for vulnerabilities.
150 Information contained in these documents could aid in the
151 planning of, training for, and execution of criminal actions
152 including cybercrime, arson, and terrorism. Consequently, the
153 Legislature finds that it is a public necessity to exempt such
154 information from public records requirements to reduce exposure
155 to security threats and protect the public.

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