A bill to be entitled
An act relating to public records and meetings;
amending s. 119.071, F.S.; providing an exemption from
public records requirements for certain documents that
depict the structural elements of certain 911 or E911
communication system infrastructure, structures, or
facilities; providing an exemption from public records
requirements for geographical maps indicating the
actual or proposed locations of certain 911 or E911
communication system infrastructure, structures, or
facilities; providing for retroactive application;
authorizing disclosure under certain circumstances;
providing for future legislative review and repeal of
the exemptions; amending s. 286.0113, F.S.; providing
an exemption from public meetings requirements for
portions of meetings which would reveal certain
documents depicting the structural elements of 911 or
E911 communication system infrastructure, structures,
or facilities, or geographic maps indicating the
actual or proposed locations of 911 or E911
communication system infrastructure, structures, or
facilities; requiring the recording and transcription
of exempt portions of such meetings; providing an
exemption from public records requirements for such
recordings and transcripts; providing an exception;
providing for future legislative review and repeal of
the exemptions; 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) is added to subsection (3) of section 119.071, Florida Statutes, 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 or E911 communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911 or E911 communication services, or other 911 or E911 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 or E911 communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911 or E911 services, or other 911 or E911 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 or E911 communication system infrastructure or other 911 and E911 communication structures or facilities owned and operated by an agency, and geographical maps indicating actual or proposed locations of 911 or E911 communication system...
infrastructure or other 911 or E911 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 or E911 communication
   system infrastructure, including towers, antennae, equipment or
   facilities used to provide 911 or E911 communication services,
   or other 911 or E911 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. This paragraph is subject to the Open Government Sunset
Review Act in accordance with s. 119.15 and shall stand repealed
on October 2, 2025, unless reviewed and saved from repeal
through reenactment by the Legislature.

Section 2. Subsection (4) is added to section 286.0113,
Florida Statutes, 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 or E911 communication system
infrastructure, including towers, antennae, equipment or facilities used to provide 911 or E911 communication services, or other 911 and E911 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 or E911 communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911 or E911 communication services, or other 911 or E911 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. 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) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal through reenactment by the Legislature.
necessity that building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911 or E911 communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911 or E911 communication services, and other 911 or E911 communication structures or facilities owned and operated by an agency, and geographic maps indicating the actual or proposed locations of such communication system infrastructure, structures, or facilities should 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. In addition, the Legislature finds that it is a public necessity that any portion of a meeting revealing such documents and maps that are held by an agency should be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Article I of the State Constitution and that the recordings and transcripts of such an exempt meeting be confidential and exempt from disclosure under s. 119.07(1), Florida Statutes, and s. 24(a), 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 that depict the structural elements of 911 or E911 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 or E911 communication system infrastructure, structures, and facilities that 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 communication facilities and structures. 911 and E911 communication facilities, including towers and antennae, are a vital link in the chain of survival. Such critical infrastructure must be protected as 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 antennae 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 requirements to reduce exposure to security threats and protect the public.

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