

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
5 which depict the structural elements of certain 911 or
6 E911 communication system infrastructure, structures,
7 or facilities; providing an exemption from public
8 records requirements for geographical maps indicating
9 the actual or proposed locations of certain 911 or
10 E911 communication system infrastructure, structures,
11 or 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 that 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 locations 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 exemption; providing a statement of
24 public necessity; providing an effective date.
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26 Be It Enacted by the Legislature of the State of Florida:

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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,

51 and final formats, which depict the structural elements of 911
52 or E911 communication system infrastructure or other 911 and
53 E911 communication structures or facilities owned and operated
54 by an agency, and geographical maps indicating actual or
55 proposed locations of 911 or E911 communication system
56 infrastructure or other 911 or E911 communication structures or
57 facilities owned and operated by an agency, before, on, or after
58 the effective date of this act.

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

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

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

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

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

74 5. This paragraph is subject to the Open Government Sunset
75 Review Act in accordance with s. 119.15 and shall stand repealed

76 on October 1, 2025, unless reviewed and saved from repeal
77 through reenactment by the Legislature.

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

80 286.0113 General exemptions from public meetings.—

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

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

98 (c) This subsection is subject to the Open Government
99 Sunset Review Act in accordance with s. 119.15 and shall stand
100 repealed on October 1, 2025, unless reviewed and saved from

101 repeal through reenactment by the Legislature.

102 Section 3. The Legislature finds that it is a public
103 necessity that building plans, blueprints, schematic drawings,
104 and diagrams, including draft, preliminary, and final formats,
105 which depict the structural elements of 911 or E911
106 communication system infrastructure, including towers, antennae,
107 equipment or facilities used to provide 911 or E911
108 communication services, and other 911 or E911 communication
109 structures or facilities owned and operated by an agency, and
110 geographic maps indicating the actual or proposed locations of
111 such communication system infrastructure, structures, or
112 facilities should be made exempt from s. 119.07(1), Florida
113 Statutes, and s. 24(a), Article I of the State Constitution to
114 ensure the security of emergency communication infrastructure,
115 structures, and facilities. In addition, the Legislature finds
116 that it is a public necessity that any portion of a meeting
117 revealing such documents and maps that are held by an agency
118 should be made exempt from s. 286.011, Florida Statutes, and s.
119 24(b), Art. I of the State Constitution. Building plans,
120 blueprints, schematic drawings, and diagrams, including draft,
121 preliminary, and final formats, received and held by counties,
122 municipalities, and other governmental agencies that depict the
123 structural elements of 911 or E911 communication system
124 infrastructure, structures, and facilities are currently subject
125 to release as public records upon request. Similarly,

126 | geographical maps showing the present or proposed locations of
127 | such 911 or E911 communication system infrastructure,
128 | structures, and facilities that are in the possession of
129 | counties, municipalities, and other governmental agencies are
130 | also subject to release as public records upon request.
131 | Counties, municipalities and other governmental agencies may
132 | review the building plans or geographical maps to ensure
133 | compliance with land development regulations, building codes,
134 | agency rules, and standards to protect the public health and
135 | safety. These building plans include diagrams and schematic
136 | drawings of emergency communication systems, electrical systems,
137 | and other physical plant and security details which depict the
138 | structural elements of such emergency communications facilities
139 | and structures. 911 and E911 communication facilities, including
140 | towers and antennae, are a vital link in the chain of survival.
141 | Such critical infrastructure must be protected as any disruption
142 | during an active shooter or other terror event is very likely to
143 | result in greater loss of life and property damage. To function
144 | properly, towers and antennae need to be visible, increasing the
145 | security risk of such facilities. Because architectural and
146 | engineering plans reviewed and held by counties, municipalities
147 | and other government agencies include information about tower,
148 | equipment, ancillary facilities, critical systems, and
149 | restricted areas, these plans could be used by criminals or
150 | terrorists to examine the physical plant for vulnerabilities.

151 | Information contained in these documents could aid in the
152 | planning of, training for, and execution of criminal actions
153 | including cyber-crime, arson, and terrorism. Consequently, the
154 | Legislature finds that it is a public necessity to exempt such
155 | information from public records requirements to reduce exposure
156 | to security threats and protect the public.

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