

1 A bill to be entitled
 2 An act relating to public records; creating s.
 3 252.905, F.S.; creating an exemption from public
 4 records requirements for information furnished to the
 5 Division of Emergency Management by a person or
 6 business for the purpose of obtaining assistance with
 7 emergency planning; providing for retroactive
 8 application of the exemption; providing for future
 9 repeal and legislative review of the exemption;
 10 providing a statement of public necessity; providing
 11 an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Section 252.905, Florida Statutes, is created
 16 to read:

17 252.905 Emergency planning information; public records
 18 exemption.—

19 (1) Any information furnished by a person or a business to
 20 the division for the purpose of being provided assistance with
 21 emergency planning is exempt from s. 119.07(1) and s. 24(a),
 22 Art. I of the State Constitution. This exemption applies to
 23 information held by the division before, on, or after the
 24 effective date of this exemption.

25 (2) This section is subject to the Open Government Sunset
 26 Review Act in accordance with s. 119.15, and shall stand

27 repealed on October 2, 2019, unless reviewed and saved from
 28 repeal through reenactment by the Legislature.

29 Section 2. The Legislature finds that it is a public
 30 necessity that information furnished by a person or a business
 31 to the Division of Emergency Management for the purpose of being
 32 provided assistance with emergency planning be made exempt from
 33 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
 34 State Constitution. The Division of Emergency Management manages
 35 a statewide public awareness program to educate the public to be
 36 self-sufficient for up to 72 hours following a natural or
 37 manmade disaster. The public awareness program encourages
 38 individuals, families, and businesses to develop disaster plans
 39 in preparation of and in response to such natural or manmade
 40 disasters. Emergency plans may include sensitive information
 41 such as alternate locations for families to meet or business
 42 relocation in the event of building damage; business contacts,
 43 including utility providers, suppliers, and employees; backup
 44 suppliers for key materials and services depended upon by the
 45 business; important records and documents that the business
 46 needs to operate; and emergency community contacts and disaster
 47 resources. Without this exemption, the effective and efficient
 48 administration of the Division of Emergency Management's
 49 statewide public awareness program is significantly impaired.
 50 The potential disclosure of sensitive information has served as
 51 a disincentive for creating a disaster plan, particularly among
 52 businesses that fear that the disclosure of sensitive

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53 information may place their businesses at a competitive
54 disadvantage. Therefore, the Legislature finds that the harm
55 that may result from the release of personal or business
56 information obtained by the Division of Emergency Management for
57 the purpose of providing assistance with emergency planning for
58 the preparation of and response to a natural or manmade disaster
59 outweighs any public benefit that may be derived from disclosure
60 of the information.

61 Section 3. This act shall take effect July 1, 2014.