



585-2016-06

1 Executive Office of the Governor, the Department of Health, or  
 2 the Department of Community Affairs are confidential and  
 3 exempt from ~~the provisions of s. 119.07(1) and s. 24(a), Art.~~  
 4 ~~I of the State Constitution. This exemption is remedial in~~  
 5 ~~nature, and it is the intent of the Legislature that this~~  
 6 ~~exemption be applied to plans filed with the agency before,~~  
 7 ~~on, or after the effective date of this section.~~

8 (b) Information made confidential and exempt by this  
 9 subsection may be disclosed by a custodial agency to another  
 10 state or federal agency to prevent, detect, guard against,  
 11 respond to, investigate, or manage the consequences of any  
 12 attempted or actual act of terrorism, or to prosecute those  
 13 persons who are responsible for such attempts or acts, ~~and the~~  
 14 ~~confidential and exempt status of such information shall be~~  
 15 ~~retained while in the possession of the receiving agency.~~

16 (c) Portions of a comprehensive emergency management  
 17 plan which address the response of a public or private  
 18 hospital to an act of terrorism include those portions  
 19 addressing:

- 20 1. Security systems or plans;
- 21 2. Vulnerability analyses;
- 22 3. Emergency evacuation transportation;
- 23 4. Sheltering arrangements;
- 24 5. Postdisaster activities, including provisions for
- 25 emergency power, communications, food, and water;
- 26 6. Postdisaster transportation;
- 27 7. Supplies, including drug caches;
- 28 8. Staffing;
- 29 9. Emergency equipment; and
- 30 10. Individual identification of residents, transfer
- 31 of records, and methods of responding to family inquiries.

Bill No. SB 700

Barcode 401214

585-2016-06

1 ~~This subsection is subject to the Open Government Sunset~~  
2 ~~Review Act of 1995 in accordance with s. 119.15 and shall~~  
3 ~~stand repealed October 2, 2006, unless reviewed and saved from~~  
4 ~~repeal through reenactment by the Legislature.~~

5 (2) Those portions of a comprehensive emergency  
6 management plan which address the response of a public  
7 hospital to an act of terrorism as defined by s. 775.30 and  
8 which are held by ~~in the custody of~~ that public hospital are  
9 exempt from ~~the requirements of~~ s. 119.07(1) and s. 24(a),  
10 Art. I of the State Constitution. Portions of a comprehensive  
11 emergency management plan which address the response of a  
12 public hospital to an act of terrorism include those portions  
13 addressing:

- 14 (a) Security systems or plans;  
15 (b) Vulnerability analyses;  
16 (c) Emergency evacuation transportation;  
17 (d) Sheltering arrangements;  
18 (e) Postdisaster activities, including provisions for  
19 emergency power, communications, food, and water;  
20 (f) Postdisaster transportation;  
21 (g) Supplies, including drug caches;  
22 (h) Staffing;  
23 (i) Emergency equipment; and  
24 (j) Individual identification of residents, transfer  
25 of records, and methods of responding to family inquiries.

26 ~~This subsection is subject to the Open Government Sunset~~  
27 ~~Review Act of 1995 in accordance with s. 119.15 and shall~~  
28 ~~stand repealed October 2, 2006, unless reviewed and saved from~~  
29 ~~repeal through reenactment by the Legislature.~~

30 (3) The public-records exemptions provided by this  
31 section are remedial in nature, and it is the intent of the

585-2016-06

1 Legislature that the exemptions apply to plans held by a  
2 custodial agency before, on, or after October 1, 2006.

3       ~~(4)(3)~~ Any portion of a public meeting which would  
4 reveal information contained in a comprehensive emergency  
5 management plan which addresses the response of a hospital to  
6 an act of terrorism is exempt from the provisions of s.  
7 286.011 and s. 24(b), Art. I of the State Constitution. ~~This~~  
8 ~~subsection is subject to the Open Government Sunset Review Act~~  
9 ~~of 1995 in accordance with s. 119.15 and shall stand repealed~~  
10 ~~October 2, 2006, unless reviewed and saved from repeal through~~  
11 ~~reenactment by the Legislature.~~

12       ~~(5)(4)~~ The certification by the Governor, in  
13 coordination with the Department of Health, of the sufficiency  
14 of a comprehensive emergency management plan that addresses  
15 the response of a hospital to an act of terrorism is not  
16 exempt.

17       Section 2. This act shall take effect October 1, 2006.

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