

DOMESTIC SECURITY

CS/SB 124 — Chief of Domestic Security Initiatives

by Appropriations Committee and Senators Dockery and Lynn

This bill amends s. 943.0311, F.S., to require state agencies, state universities, and community colleges to conduct security assessments of buildings and facilities. Each state agency, state university, or community college is required to provide the assistance of their employees in the production of security assessment information and must present the information to the chief in the format requested by the chief. If any state agency, state university, or community college substantially fails to cooperate with the chief in the production of a security assessment, the chief is required to report such noncompliance to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

State agencies, state universities, and community colleges are required to conduct initial security assessments of their buildings, facilities, and structures and must provide the assessments to the chief no later than November 1, 2004. The chief is authorized to request subsequent security assessments be conducted by state agencies, state universities, or community colleges.

By November 1 of each year, the Chief of Domestic Security Initiatives must report to the Governor and Legislature prioritized suggestions for specific security enhancements of state agency, state university, and community college facilities.

The chief is required to encourage local governments and water management districts to conduct security assessments of their buildings and advise those governments and districts of options to consider in obtaining assessments. Local governments and water management districts must bear the costs of assessing buildings and facilities owned or leased by the local government or water management district.

The bill defines the term “state agency” to identify the agencies that are required to conduct security assessments of buildings, facilities, and structures.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 117-0

HB 317 — Public Records Requirement/Exemption

by Rep. Reagan (CS/SB 410 by Governmental Oversight and Productivity Committee and Senator Bennett)

This bill (Chapter 2004-9, L.O.F.) amends s. 119.07, F.S., to create a new public records exemption for building plans, blueprints, schematic drawings, and diagrams that depict the internal layout or structural elements of an attractions and recreation facility, entertainment/resort complex, industrial complex, retail and service development, office development, or hotel or motel development, which are held by a governmental agency. Drafts, preliminary, and final formats are included within the exemption, and the exemption applies to any documents held either permanently or temporarily by an agency.

The bill provides for exceptions to the public records exemption. Such exempt information may be disclosed:

- To another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities;
- To the owner or owners of the structure in question; or
- Upon a showing of good cause before a court of competent jurisdiction.

The bill limits the types of entities that are included within the exemption and defines the following structures referred to in the exemption:

- Attractions and recreation facility
- Entertainment/resort complex
- Industrial complex
- Retail and service development
- Office development
- Hotel or motel development

The bill makes explicit that the exemption does not apply to comprehensive plans, site plans, or amendments to them that are submitted under local land development regulations, local zoning regulations, or development-of-regional-impact review.

As required by s. 24, Art. I, State Constitution, the bill provides a statement of public necessity.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-1; House 113-3

CS/SB 1820 — Domestic Security

by Home Defense, Public Security, and Ports Committee

This bill amends s. 311.12, F.S., to require the Legislature to review any seaport that is not in substantial compliance with statewide minimum security standards by November 2005, as reported by the Florida Department of Law Enforcement (FDLE). The bill requires the Legislature to review, by December 31, 2004, the ongoing costs of operational security on seaports to consider: the impacts of statutory minimum security standards on security costs; mitigating factors to reduce costs; and methods by which seaports may implement operational security using a combination of sworn law enforcement officers and private security services.

The bill provides that state funds may not be expended for operational security costs without certification of need for such expenditures by the Office of Ports Administrator within FDLE.

The bill creates s. 1004.63, F.S., to create the Florida Institute for Nuclear Security within the Department of Nuclear Engineering and Radiological Sciences at the University of Florida for the purpose of conducting research and performing other activities to identify and develop technologies to improve nuclear security and promote nuclear nonproliferation. The institute is to be headed by a director appointed by the Dean of the University of Florida College of Engineering. The activities of the institute are to be directed by a board of eight advisors with expertise in nuclear science and industry.

The institute is authorized to accept funds and grant allocations from federal, state, and local government and private entities to conduct nuclear research and development. The institute is required to file an annual report on its progress with recommendations on nuclear security and detection to the Governor, President of the Senate, the Speaker of the House of Representatives, the United States National Nuclear Security Administration, and the United States Department of Homeland Security. The report must contain financial statements that include an accounting of all funds received and expended; such financial statement must also be filed with the Auditor General.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 119-0