

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 119.071, F.S., which
 4 provides an exemption from public records requirements
 5 for certain building plans, blueprints, schematic
 6 drawings, and diagrams; removing a provision allowing
 7 disclosure of certain information to certain entities;
 8 removing the scheduled repeal of the exemption;
 9 providing an effective date.

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

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13 Section 1. Paragraph (c) of subsection (3) of section
 14 119.071, Florida Statutes, is amended to read:

15 119.071 General exemptions from inspection or copying of
 16 public records.—

17 (3) SECURITY AND FIRESAFETY.—

18 (c)1. Building plans, blueprints, schematic drawings, and
 19 diagrams, including draft, preliminary, and final formats, which
 20 depict the internal layout or structural elements of an
 21 attractions and recreation facility, entertainment or resort
 22 complex, industrial complex, retail and service development,
 23 office development, health care facility, or hotel or motel
 24 development, which records are held by an agency are exempt from
 25 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

26 2. This exemption applies to any such records held by an
27 agency before, on, or after the effective date of this act.

28 ~~3. Information made exempt by this paragraph may be
29 disclosed to another governmental entity if disclosure is
30 necessary for the receiving entity to perform its duties and
31 responsibilities; to the owner or owners of the structure in
32 question or the owner's legal representative; or upon a showing
33 of good cause before a court of competent jurisdiction.~~

34 3.4. This paragraph does not apply to comprehensive plans
35 or site plans, or amendments thereto, which are submitted for
36 approval or which have been approved under local land
37 development regulations, local zoning regulations, or
38 development-of-regional-impact review.

39 ~~4.5.~~ As used in this paragraph, the term:

40 a. "Attractions and recreation facility" means any sports,
41 entertainment, amusement, or recreation facility, including, but
42 not limited to, a sports arena, stadium, racetrack, tourist
43 attraction, amusement park, or pari-mutuel facility that:

44 (I) For single-performance facilities:

45 (A) Provides single-performance facilities; or

46 (B) Provides more than 10,000 permanent seats for
47 spectators.

48 (II) For serial-performance facilities:

49 (A) Provides parking spaces for more than 1,000 motor
50 vehicles; or

51 (B) Provides more than 4,000 permanent seats for
52 spectators.

53 b. "Entertainment or resort complex" means a theme park
54 comprised of at least 25 acres of land with permanent
55 exhibitions and a variety of recreational activities, which has
56 at least 1 million visitors annually who pay admission fees
57 thereto, together with any lodging, dining, and recreational
58 facilities located adjacent to, contiguous to, or in close
59 proximity to the theme park, as long as the owners or operators
60 of the theme park, or a parent or related company or subsidiary
61 thereof, has an equity interest in the lodging, dining, or
62 recreational facilities or is in privity therewith. Close
63 proximity includes an area within a 5-mile radius of the theme
64 park complex.

65 c. "Industrial complex" means any industrial,
66 manufacturing, processing, distribution, warehousing, or
67 wholesale facility or plant, as well as accessory uses and
68 structures, under common ownership that:

69 (I) Provides onsite parking for more than 250 motor
70 vehicles;

71 (II) Encompasses 500,000 square feet or more of gross
72 floor area; or

73 (III) Occupies a site of 100 acres or more, but excluding
74 wholesale facilities or plants that primarily serve or deal
75 onsite with the general public.

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76 d. "Retail and service development" means any retail,
77 service, or wholesale business establishment or group of
78 establishments which deals primarily with the general public
79 onsite and is operated under one common property ownership,
80 development plan, or management that:

81 (I) Encompasses more than 400,000 square feet of gross
82 floor area; or

83 (II) Provides parking spaces for more than 2,500 motor
84 vehicles.

85 e. "Office development" means any office building or park
86 operated under common ownership, development plan, or management
87 that encompasses 300,000 or more square feet of gross floor
88 area.

89 f. "Health care facility" means a hospital, ambulatory
90 surgical center, nursing home, hospice, or intermediate care
91 facility for the developmentally disabled.

92 g. "Hotel or motel development" means any hotel or motel
93 development that accommodates 350 or more units.

94 ~~6. This paragraph is subject to the Open Government Sunset~~
95 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~
96 ~~on October 2, 2023, unless reviewed and saved from repeal~~
97 ~~through reenactment by the Legislature.~~

98 Section 2. This act shall take effect October 1, 2023.