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1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act regarding building plans and blueprints;  
 4           amending s. 119.071, F.S.; reorganizing the exemption;  
 5           making editorial changes; repealing s. 2 of Chapter 2004-  
 6           9, Laws of Florida, which provides for repeal of the  
 7           exemption; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. Paragraph (c) of subsection (3) of section  
 12           119.071, Florida Statutes, are amended to read:

13           119.071 General exemptions from inspection or copying of  
 14           public records.--

15           (3) SECURITY.--

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

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

27           3. Information made exempt by this paragraph may be  
 28           disclosed to another governmental entity if disclosure is

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29 necessary for the receiving entity to perform its duties and  
 30 responsibilities; to the owner or owners of the structure in  
 31 question or the owner's legal representative; or upon a showing  
 32 of good cause before a court of competent jurisdiction.

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

38 5. As used in this paragraph, the term:

39 a.1. "Attractions and recreation facility" means any  
 40 sports, entertainment, amusement, or recreation facility,  
 41 including, but not limited to, a sports arena, stadium,  
 42 racetrack, tourist attraction, amusement park, or pari-mutuel  
 43 facility that:

44 (I)a. For single-performance facilities:

45 (A)~~(I)~~ Provides single-performance facilities; or

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

48 (II)b. For serial-performance facilities:

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

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

53 b.2. "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

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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.3.~~ "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 ~~which~~:

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

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

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

76 ~~d.4.~~ "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)a. Encompasses more than 400,000 square feet of gross  
 82 floor area; or

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

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85            ~~e.5.~~ "Office development" means any office building or  
 86 park operated under common ownership, development plan, or  
 87 management that encompasses 300,000 or more square feet of gross  
 88 floor area.

89            ~~f.6.~~ "Hotel or motel development" means any hotel or motel  
 90 development that accommodates 350 or more units.

91  
 92 ~~This exemption does not apply to comprehensive plans or site~~  
 93 ~~plans, or amendments thereto, which are submitted for approval~~  
 94 ~~or which have been approved under local land development~~  
 95 ~~regulations, local zoning regulations, or development of~~  
 96 ~~regional impact review.~~

97            Section 2. Section 2. of Chapter 2004-9, Laws of Florida,  
 98 is repealed.

99            Section 3. This act shall take effect October 1, 2009.