

1 SB84
2 173298-1
3 By Senators Livingston, Orr, Sanford, Scofield, Holtzclaw and
4 Melson
5 RFD: Education and Youth Affairs
6 First Read: 02-FEB-16

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8 SYNOPSIS: Currently certain records concerning
9 security plans and procedures are exempt from the
10 rights of citizens to inspect public records.

11 This bill would expand those exemptions to
12 include information and records concerning security
13 measures and equipment used on school property.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 Relating to the right of citizens to access public
20 records; to amend Section 36-12-40, Code of Alabama 1975, to
21 exempt from this right certain information and records
22 relating to school safety and security.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 36-12-40, Code of Alabama 1975,
25 is amended to read as follows:

26 "§36-12-40.

1 "Every citizen has a right to inspect and take a
2 copy of any public writing of this state, except as otherwise
3 expressly provided by statute. Provided however, registration
4 and circulation records and information concerning the use of
5 the public, public school or college and university libraries
6 of this state shall be exempted from this section. Provided
7 further, any parent of a minor child shall have the right to
8 inspect the registration and circulation records of any school
9 or public library that pertain to his or her child.

10 Notwithstanding the foregoing, records concerning: security
11 measures taken on school property, school alarms systems, the
12 number and placement of cameras at schools, the staffing of
13 security personnel at schools, contracts for school security
14 enhancements, school security employee schedules, school bus
15 routes, security measures on school buses; security plans,
16 procedures, assessments, measures, or systems, and any other
17 records relating to, or having an impact upon, the security or
18 safety of persons, structures, facilities, or other
19 infrastructures, including without limitation information
20 concerning critical infrastructure (as defined at 42 U.S.C.
21 §5195c(e) as amended); and critical energy infrastructure
22 information (as defined at 18 C.F.R. §388.113(c)(1) as
23 amended) the public disclosure of which could reasonably be
24 expected to be detrimental to the public safety or welfare,
25 and records the disclosure of which would otherwise be
26 detrimental to the best interests of the public shall be
27 exempted from this section. Any public officer who receives a

1 request for records that may appear to relate to critical
2 infrastructure or critical energy infrastructure information,
3 shall notify the owner of such infrastructure in writing of
4 the request and provide the owner an opportunity to comment on
5 the request and on the threats to public safety or welfare
6 that could reasonably be expected from public disclosure on
7 the records."

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.