

1 A bill to be entitled
 2 An act relating to review under the Open Government Sunset
 3 Review Act; amending s. 787.03, F.S., which provides a
 4 public records exemption for information provided to a
 5 sheriff or state attorney in specified domestic violence
 6 cases in which a person seeks shelter from an act or
 7 possible act of domestic violence and takes with him or
 8 her any child 17 years of age or younger; extending the
 9 repeal date scheduled under the Open Government Sunset
 10 Review Act; narrowing the exemption; providing an
 11 effective date.

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

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 15 Section 1. Subsection (6) of section 787.03, Florida
 16 Statutes, is amended to read:

17 787.03 Interference with custody.--

18 (6)(a) This section does not apply in cases where a spouse
 19 who is the victim of any act of domestic violence or who has
 20 reasonable cause to believe he or she is about to become the
 21 victim of any act of domestic violence, as defined in s. 741.28,
 22 or believes that his or her action was necessary to preserve the
 23 child or the incompetent person from danger to his or her
 24 welfare seeks shelter from such acts or possible acts and takes
 25 with him or her any child 17 years of age or younger.

26 (b) In order to gain the exemption conferred by paragraph
 27 (a), a person who takes a child pursuant to this subsection
 28 must:

29 1. Within 10 days after taking the child, make a report to
 30 the sheriff's office or state attorney's office for the county
 31 in which the child resided at the time he or she was taken,
 32 which report must include the name of the person taking the
 33 child, the current address and telephone number of the person
 34 and child, and the reasons the child was taken.

35 2. Within a reasonable time after taking the child,
 36 commence a custody proceeding that is consistent with the
 37 federal Parental Kidnapping Prevention Act, 28 U.S.C. s. 1738A,
 38 or the Uniform Child Custody Jurisdiction and Enforcement Act,
 39 ss. 61.501-61.542.

40 3. Inform the sheriff's office or state attorney's office
 41 for the county in which the child resided at the time he or she
 42 was taken of any change of address or telephone number of the
 43 person and child.

44 (c) The name of the person taking the child and the
 45 current address and telephone number of the person and child
 46 that are contained in the report made ~~Information provided~~ to a
 47 sheriff or state attorney under paragraph (b) are ~~is~~
 48 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 49 of the State Constitution. (7)(a) This section ~~paragraph~~ is
 50 subject to the Open Government Sunset Review Act of 1995 in
 51 accordance with s. 119.15 and is repealed on October 2, 2006
 52 ~~2005~~, unless reviewed and saved from repeal through reenactment
 53 by the Legislature ~~before that date~~.

54 (b) Pursuant to s. 119.15, the Division of Statutory
 55 Revision is directed to certify this section, in its entirety,

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56 | in the list of Open Government Sunset Review exemptions to be
57 | certified by June 1, 2005.

58 | Section 2. This act shall take effect upon becoming a law.