

Bill No. SB 726

Barcode 130906

CHAMBER ACTION

Senate

House

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Senator Webster moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

787.03 Interference with custody.--

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

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

Bill No. SB 726

Barcode 130906

1 1. Within 10 days after taking the child, make a
 2 report to the sheriff's office or state attorney's office for
 3 the county in which the child resided at the time he or she
 4 was taken, which report must include the name of the person
 5 taking the child, the current address and telephone number of
 6 the person and child, and the reasons the child was taken.

7 2. Within a reasonable time after taking the child,
 8 commence a custody proceeding that is consistent with the
 9 federal Parental Kidnapping Prevention Act, 28 U.S.C. s.
 10 1738A, or the Uniform Child Custody Jurisdiction and
 11 Enforcement Act, ss. 61.501-61.542.

12 3. Inform the sheriff's office or state attorney's
 13 office for the county in which the child resided at the time
 14 he or she was taken of any change of address or telephone
 15 number of the person and child.

16 (c) The name of the person taking the child and the
 17 current address and telephone number of the person and child
 18 that are contained in the report made ~~Information provided~~ to
 19 a sheriff or state attorney under paragraph (b) are is
 20 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 21 of the State Constitution.

22 (7)(a) This section paragraph is subject to the Open
 23 Government Sunset Review Act of 1995 in accordance with s.
 24 119.15 and is repealed on October 2, 2006~~2005~~, unless
 25 reviewed and saved from repeal through reenactment by the
 26 Legislature ~~before that date~~.

27 (b) Pursuant to s. 119.15, the Division of Statutory
 28 Revision is directed to certify this section, in its entirety,
 29 in the list of Open Government Sunset Review exemptions to be
 30 certified by June 1, 2005.

31 Section 2. This act shall take effect upon becoming a

Bill No. SB 726

Barcode 130906

1 law.

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 Delete everything before the enacting clause

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8 and insert:

9 A bill to be entitled

10 An act relating to review under the Open

11 Government Sunset Review Act; amending s.

12 787.03, F.S., which provides a public records

13 exemption for information provided to a sheriff

14 or state attorney in specified domestic

15 violence cases in which a person seeks shelter

16 from an act or possible act of domestic

17 violence and takes with him or her any child 17

18 years of age or younger; extending the repeal

19 date scheduled under the Open Government Sunset

20 Review Act; narrowing the exemption; providing

21 an effective date.

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