

Bill No. SB 710

Barcode 255956

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity  
(Lawson) recommended the following amendment:

**Senate Amendment**

On page 2, line 31, through page 4, line 22, delete  
those lines

and insert: necessity to expand the public records exemption  
for certain information contained in a report to a sheriff or  
state attorney made by a person who takes a minor in order to  
escape domestic violence, avoid domestic violence, or preserve  
the welfare of the minor. If the alleged perpetrator of  
domestic violence were able to obtain the address and  
telephone information contained in a report to the sheriff or  
state attorney, he or she could locate or contact the person  
who takes a minor and the minor, thus exposing them to  
potential additional harm. Keeping the address and telephone  
number of that person and the minor confidential and exempt  
protects their safety. For the same reasons, the Legislature  
finds that it is a public necessity to expand this public  
records exemption to include the taking of an incompetent

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1 person within the coverage of the exemption. The underlying  
2 offense of interference with custody applies to the taking of  
3 an incompetent person as well as to the taking of a person  
4 younger than 18 years of age. In addition, the safety of an  
5 incompetent person and the person seeking shelter with an  
6 incompetent person is as vital as the safety of a minor and a  
7 person seeking shelter with a minor. The underlying offense of  
8 interference with custody envisions that an incompetent person  
9 is as vulnerable as a minor. Therefore, the Legislature finds  
10 that the public records exemption should apply to the address  
11 and telephone number of the person who takes an incompetent  
12 person and the incompetent person which are contained in a  
13 report submitted to a sheriff or state attorney as prescribed  
14 in the interference with custody statute. If persons seeking  
15 shelter with minors or incompetent persons knew that their  
16 addresses or telephone numbers could be obtained through the  
17 reports to the sheriff or state attorney, they would fear for  
18 their safety and would unlikely make the required reports,  
19 thereby thwarting the public policy of encouraging the  
20 resolution of allegations of interference with custody while  
21 also protecting individuals from harm. The public records  
22 exemption, therefore, principally protects the safety of  
23 individuals, but also promotes the effective and efficient  
24 administration of the interference with custody statute.

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