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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/26/2010 03:34 PM

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Senator Alexander moved the following:

**Senate Amendment (with title amendment)**

Delete lines 35 - 39

and insert:

(3) The names, addresses, and telephone numbers of persons who are victims of stalking or aggravated stalking are exempt from s. 119.071(1) and s. 24(a), Art. I of the State Constitution in the same manner that the names, addresses, and telephone numbers of participants in the Address Confidentiality Program for Victims of Domestic Violence which are held by the Attorney General under s. 741.465 are exempt from disclosure, provided that the victim files a sworn statement of stalking with the Office of the Attorney General and otherwise complies



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14 with the procedures in ss. 741.401-741.409.

15 (4)~~(3)~~ This section applies to information held by an  
16 agency before, on, or after the effective date of this  
17 exemption.

18 (5) Subsection (3) is subject to the Open Government Sunset  
19 Review Act in accordance with s. 119.15 and shall stand repealed  
20 on October 2, 2015, unless reviewed and saved from repeal  
21 through reenactment by the Legislature.

22 Section 2. Section 3 of chapter 2005-279, Laws of Florida,  
23 is repealed.

24 Section 3. The Legislature finds that it is a public  
25 necessity that the names, addresses, and telephone numbers of  
26 victims of stalking or aggravated stalking, which are held by  
27 the Office of the Attorney General or contained in voter  
28 registration records and voting records held by the Department  
29 of State or the supervisor of elections, be made exempt from  
30 public-records requirements. The victims, who may be members of  
31 the voting public, must be afforded the ability to participate  
32 in the election process. However, the department and supervisor  
33 of elections must maintain a verifiable address in order to  
34 place the voter in the proper voting precinct and to maintain  
35 accurate records for compliance with state and federal  
36 requirements. The public-records exemption for the name is a  
37 public necessity because access to such name narrows the  
38 location of a stalking victim to a specific, geographic voting  
39 precinct. In addition, access to the address and telephone  
40 number provides specific location and contact information for  
41 the victim. Therefore, access to the name, address, and  
42 telephone number defeats the goal of providing safety and



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43 security. Allowing victims of stalking or aggravated stalking to  
44 use a substitute mailing address designated by the Office of the  
45 Attorney General facilitates the goal of providing safety and  
46 security. Thus, the Legislature finds that it is a public  
47 necessity to make exempt from public disclosure the names,  
48 addresses, and telephone numbers of victims of stalking or  
49 aggravated stalking held by the Office of the Attorney General,  
50 by the department, or by a supervisor of elections.

51 Section 4. This act shall take effect upon becoming a law.

52  
53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Delete line 8

56 and insert:

57 registrants; making clarifying changes; creating a  
58 public-records exemption for specified personal  
59 identifying information of stalking victims held by  
60 the Attorney General or contained in voter  
61 registration and voting records held by the supervisor  
62 of elections or the Department of State; providing for  
63 future legislative review and repeal of the exemption  
64 under the Open Government Sunset Review Act; providing  
65 a statement of public necessity; repealing s. 3,