

20247062e1

1                   A bill to be entitled  
2           An act relating to public records; amending s. 741.29,  
3           F.S.; providing a public records exemption for certain  
4           information pertaining to a lethality assessment  
5           administered by a trained law enforcement officer;  
6           providing for future legislative review and repeal of  
7           the exemption; providing a statement of public  
8           necessity; providing a contingent effective date.

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

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12           Section 1. Paragraph (g) is added to subsection (2) of  
13           section 741.29, Florida Statutes, as created by SB 638, 2024  
14           Regular Session, to read:

15           741.29 Domestic violence; investigation of incidents;  
16           notice to victims of legal rights and remedies; reporting.—

17           (2) The department shall consult with the Department of  
18           Children and Families and at least one domestic violence  
19           advocacy organization and may consult with the Florida Sheriffs  
20           Association, the Florida Police Chiefs Association, and the  
21           Florida Partnership to End Domestic Violence to develop the  
22           policies, procedures, and training necessary for implementation  
23           of a statewide evidence-based lethality assessment. Such  
24           policies, procedures, and training must establish how to  
25           determine whether a victim and aggressor are intimate partners  
26           and establish a statewide process for referring a victim to a  
27           certified domestic violence center. By January 1, 2025, the  
28           department must adopt a statewide lethality assessment form that  
29           includes all the information in paragraph (c). Training on how

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30 to administer a lethality assessment and the approved lethality  
31 assessment form must be accessible to a law enforcement officer  
32 in an online format.

33 (g) A lethality assessment form that contains a victim's  
34 information and responses to the lethality assessment is  
35 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
36 of the State Constitution. This paragraph is subject to the Open  
37 Government Sunset Review Act in accordance with s. 119.15 and  
38 shall stand repealed on October 2, 2029, unless reviewed and  
39 saved from repeal through reenactment by the Legislature.

40 Section 2. The Legislature finds that it is a public  
41 necessity that a lethality assessment form that contains a  
42 victim's information and responses to the lethality assessment  
43 be made confidential and exempt from s. 119.07(1), Florida  
44 Statutes, and s. 24(a), Article I of the State Constitution. The  
45 Legislature finds that the release of information included on a  
46 lethality assessment form could subject victims of domestic  
47 violence to an increased risk of abuse. Such information  
48 contained on a lethality assessment form is sensitive in nature.  
49 The Legislature further finds that such victims are more likely  
50 to participate in a lethality assessment if such form is  
51 protected from public disclosure. The Legislature finds that the  
52 harm that may result from the release of such information  
53 outweighs the public benefit that may be derived from the  
54 disclosure of the information.

55 Section 3. This act shall take effect on the same date that  
56 SB 638 or similar legislation takes effect, if such legislation  
57 is adopted in the same legislative session or an extension  
58 thereof and becomes a law.