

1 A bill to be entitled
 2 An act relating to public records; amending s. 741.29,
 3 F.S.; providing an exemption from public records
 4 requirements for a lethality assessment form that
 5 contains certain information and responses;
 6 authorizing the disclosure of a lethality assessment
 7 form to a domestic violence center and the office of
 8 the state attorney; authorizing the state attorney to
 9 disclose such confidential information for certain
 10 purposes and to certain parties; providing for future
 11 legislative review and repeal of the exemption;
 12 providing a statement of public necessity; providing
 13 an effective date.

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

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 17 **Section 1. Paragraph (i) is added to subsection (2) of**
 18 **section 741.29, Florida Statutes, to read:**

19 741.29 Domestic violence; investigation of incidents;
 20 notice to victims of legal rights and remedies; reporting.—

21 (2) The department shall consult with the Department of
 22 Children and Families, the Florida Sheriffs Association, the
 23 Florida Police Chiefs Association, the Florida Partnership to
 24 End Domestic Violence, and at least two domestic violence
 25 advocacy organizations to develop the policies, procedures, and

26 training necessary for implementation of a statewide evidence-
27 based lethality assessment. Such policies, procedures, and
28 training must establish how to determine whether a victim and
29 aggressor are intimate partners and establish a statewide
30 process for referring a victim to a certified domestic violence
31 center. The group must review the questions in paragraph (e) and
32 make a recommendation as to whether all questions should be
33 included in the statewide lethality assessment instrument and
34 form. By January 1, 2025, the department must adopt a statewide
35 lethality assessment instrument and form. If a question in
36 paragraph (e) is eliminated from the assessment, the department
37 must confirm that the remaining or altered questions constitute
38 an evidence-based lethality assessment. By January 31, 2025, the
39 department shall report to the President of the Senate and the
40 Speaker of the House of Representatives the results and
41 recommendations of the group, including any proposed statutory
42 changes that are necessary for implementation of a statewide
43 lethality assessment. Training on how to administer a lethality
44 assessment and the approved lethality assessment form must be
45 accessible to a law enforcement officer in an online format.

46 (i) A lethality assessment form that contains a victim's
47 information and responses to the lethality assessment completed
48 before, on, or after January 1, 2025, is confidential and exempt
49 from s. 119.07(1) and s. 24(a), Art. I of the State
50 Constitution. A lethality assessment form may be disclosed to a

51 domestic violence center, as defined in s. 39.902, and the
52 domestic violence center must treat the form and the information
53 on such form as confidential. A lethality assessment form may be
54 disclosed to the office of the state attorney. The state
55 attorney may disclose the confidential information in
56 furtherance of his or her official duties and responsibilities
57 and to the parties in a pending criminal prosecution as required
58 by law. This paragraph is subject to the Open Government Sunset
59 Review Act in accordance with s. 119.15 and shall stand repealed
60 on October 2, 2030, unless reviewed and saved from repeal
61 through reenactment by the Legislature.

62 **Section 2.** The Legislature finds that it is a public
63 necessity that a lethality assessment form that contains a
64 victim's information and responses to the lethality assessment
65 be made confidential and exempt from s. 119.07(1), Florida
66 Statutes, and s. 24(a), Article I of the State Constitution. The
67 Legislature finds that the release of information included on a
68 lethality assessment form could subject victims of domestic
69 violence to an increased risk of abuse. Such information
70 contained on a lethality assessment form is sensitive in nature.
71 The Legislature further finds that such victims are more likely
72 to participate in a lethality assessment if such form is
73 protected from public disclosure. The Legislature finds that the
74 harm that may result from the release of such information
75 outweighs the public benefit that may be derived from the

76 | disclosure of the information.

77 | **Section 3.** This act shall take effect July 1, 2025.