

By Senator Grall

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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; providing
6 for future legislative review and repeal of the
7 exemption; providing a statement of public necessity;
8 providing an 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 (i) is added to subsection (2) of
13 section 741.29, Florida Statutes, to read:

14 741.29 Domestic violence; investigation of incidents;
15 notice to victims of legal rights and remedies; reporting.-

16 (2) The department shall consult with the Department of
17 Children and Families, the Florida Sheriffs Association, the
18 Florida Police Chiefs Association, the Florida Partnership to
19 End Domestic Violence, and at least two domestic violence
20 advocacy organizations to develop the policies, procedures, and
21 training necessary for implementation of a statewide evidence-
22 based lethality assessment. Such policies, procedures, and
23 training must establish how to determine whether a victim and
24 aggressor are intimate partners and establish a statewide
25 process for referring a victim to a certified domestic violence
26 center. The group must review the questions in paragraph (e) and
27 make a recommendation as to whether all questions should be
28 included in the statewide lethality assessment instrument and
29 form. By January 1, 2025, the department must adopt a statewide

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30 lethality assessment instrument and form. If a question in
31 paragraph (e) is eliminated from the assessment, the department
32 must confirm that the remaining or altered questions constitute
33 an evidence-based lethality assessment. By January 31, 2025, the
34 department shall report to the President of the Senate and the
35 Speaker of the House of Representatives the results and
36 recommendations of the group, including any proposed statutory
37 changes that are necessary for implementation of a statewide
38 lethality assessment. Training on how to administer a lethality
39 assessment and the approved lethality assessment form must be
40 accessible to a law enforcement officer in an online format.

41 (i) A lethality assessment form that contains a victim's
42 information and responses to the lethality assessment is
43 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
44 of the State Constitution. This paragraph is subject to the Open
45 Government Sunset Review Act in accordance with s. 119.15 and
46 shall stand repealed on October 2, 2030, unless reviewed and
47 saved from repeal through reenactment by the Legislature.

48 Section 2. The Legislature finds that it is a public
49 necessity that a lethality assessment form that contains a
50 victim's information and responses to the lethality assessment
51 be made confidential and exempt from s. 119.07(1), Florida
52 Statutes, and s. 24(a), Article I of the State Constitution. The
53 Legislature finds that the release of information included on a
54 lethality assessment form could subject victims of domestic
55 violence to an increased risk of abuse. Such information
56 contained on a lethality assessment form is sensitive in nature.
57 The Legislature further finds that such victims are more likely
58 to participate in a lethality assessment if such form is

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59 protected from public disclosure. The Legislature finds that the
60 harm that may result from the release of such information
61 outweighs the public benefit that may be derived from the
62 disclosure of the information.

63 Section 3. This act shall take effect July 1, 2025.