

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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<b>BILL #:</b> <a href="#">CS/HB 19</a>	<b>COMPANION BILL:</b> <a href="#">SB 240</a> (Berman, Rodriguez)
<b>TITLE:</b> Victims of Domestic Violence and Dating Violence	<b>LINKED BILLS:</b> <a href="#">CS/HB 41</a> (Hinson)
<b>SPONSOR(S):</b> Hinson, Barnaby	<b>RELATED BILLS:</b> None

## Committee References

[Criminal Justice](#)

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## SUMMARY

### **Effect of the Bill:**

CS/HB 19 requires the Division of Telecommunications (Division) within the Department of Management Services to consult with specified entities to conduct a feasibility study regarding a web-based 911 alert system for use by victims of domestic violence and dating violence that would allow such victims to use both a nondescript telephone number to contact 911 and a user-generated code or phrase once connected with a 911-operator that would indicate the victim's need for immediate law enforcement assistance and allow for the transfer of specified data to law enforcement. The bill requires the Division to submit the results of the study to the President of the Senate and the Speaker of the House of Representatives by January 31, 2026.

The bill also expands program participant eligibility in the Attorney General's Address Confidentiality Program for Victims of Domestic Violence by authorizing victims of dating violence to apply to the program. Participation in this program will allow a victim of dating violence to obtain and utilize a substitute address in lieu of his or her actual address with state and local agencies and will prohibit the supervisor of elections from including his or her personal identifying information and location information on any publicly-accessible list of registered voters.

### **Fiscal or Economic Impact:**

The bill may have an indeterminate negative fiscal impact on state government due to any costs associated with conducting the required feasibility study; reviewing and certifying additional applications to the Attorney General's Address Confidentiality Program; and forwarding an increased number of program participants' mail.

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## ANALYSIS

### **EFFECT OF THE BILL:**

CS/HB 19 requires the [Division of Telecommunications](#) (Division) within the Department of Management Services to consult with [enhanced 911 and Next Generation 911](#) service providers; state, county, and municipal [public safety answering points \(PSAPs\)](#); and state and local public safety agencies to conduct a feasibility study regarding the creation of a web-based 911 alert system for use by victims of [domestic violence](#) and [dating violence](#) capable of:

- Ensuring real-time data-sharing between PSAPs and law enforcement agencies.
- Creating a unique telephone number for each user which will connect the user to a PSAP.
- Creating a user-generated numerical code or phrase that can be utilized by the user after contacting a PSAP that will indicate the user's need for immediate law enforcement assistance.
- Transmitting specified data to law enforcement when a user calls from his or her unique phone number and enters his or her numerical code or phrase. (Section [1](#)).

The bill requires the Division to report the results of the feasibility study to the President of the Senate and the Speaker of the House of Representatives by January 31, 2026. (Section [1](#)).

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The bill further expands program participant eligibility in the [Attorney General's Address Confidentiality Program for Victims of Domestic Violence](#) by authorizing victims of dating violence to apply to the program. Participation in this program will allow a victim of dating violence to obtain and utilize a substitute address in lieu of his or her actual address with state and local agencies and will prohibit the supervisor of elections from including his or her personal identifying information and location information on any publicly-accessible list of registered voters. (Sections [3](#) and [4](#)).

The bill makes other conforming changes. (Sections [2](#), [5](#), [6](#), and [7](#)).

The bill provides an effective date of July 1, 2025. (Section [8](#)).

## **FISCAL OR ECONOMIC IMPACT:**

### STATE GOVERNMENT:

The bill may have an indeterminate negative fiscal impact on the Department of Management Services due to any costs associated with conducting the required feasibility study.

The bill may also have an insignificant negative fiscal impact on the Office of the Attorney General to the extent that the expansion of the Address Confidentiality Program participant eligibility will result in an increase in applications to participate in the program which will require more resources to review and certify such applications and forward an increased number of program participants' mail. However, these additional costs will likely be absorbed within existing resources.

## **RELEVANT INFORMATION**

### **SUBJECT OVERVIEW:**

#### **[E911 and Next Generation 911](#)**

Since 1974, Florida law has designated "911" as the statewide emergency telephone number to provide citizens with rapid direct access to public safety agencies.<sup>1,2</sup> In 1999, the concept of "Enhanced 911" or "E911" service was established in Florida law to describe 911 service provided to wireless telephone users.<sup>3</sup> Today, under the Emergency Communications Number E911 Act,<sup>4</sup> the term "E911," as used in Florida law, refers more broadly to an enhanced 911 system or service that provides any user of voice communications services<sup>5</sup> with 911 service. E911 service directs calls to appropriate public safety answering points (PSAPs) by selective routing based on the geographical location from which a 911 call originated and provides for automatic number and location identification.<sup>6</sup> [PSAPs](#) receiving incoming 911 requests for assistance dispatch appropriate public safety agencies to respond to the requests in accordance with the statewide emergency communications plan.<sup>7</sup>

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<sup>1</sup> Ch. 74-357, L.O.F.

<sup>2</sup> "Public safety agency" means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services. S. [365.172\(3\)\(z\)](#), F.S.

<sup>3</sup> Ch. 99-367, L.O.F.

<sup>4</sup> Ch. 2007-78, L.O.F.

<sup>5</sup> "Voice communications services" means two-way voice service, through the use of any technology, which actually provides access to 911 services, and includes communications services, as defined in s. 202.11, F.S., which actually provide access to 911 services and which are required to be included in the provision of 911 services pursuant to orders and rules adopted by the Federal Communications Commission. The term includes voice-over-Internet-protocol service. S. [365.172\(3\)\(ee\)](#), F.S.

<sup>6</sup> S. [365.172\(3\)\(i\)](#), F.S.

<sup>7</sup> S. [365.172\(3\)\(aa\)](#), F.S.

The next progression in E911 systems is referred to as Next Generation 911 (NG911). NG911 is a digital, internet protocol-based system that replaces the analog 911 infrastructure which, among other things, allows photo, video, and text messages to be transmitted from citizens to PSAPs, in addition to standard voice calls.<sup>8</sup>

### **Statewide Emergency Communications Plan**

The [Division of Telecommunications](#) (Division) within the Department of Management Services (DMS) is responsible for developing, maintaining, and implementing a statewide emergency communications plan. The plan must include:

- The public agency<sup>9</sup> emergency communications requirements for each entity of local government in the state.
- A system to meet specific local government requirements. Such system must include law enforcement, firefighting, and emergency medical services and may include other emergency services such as poison control, suicide prevention, and emergency management services.
- Identification of the mutual aid agreements necessary to obtain an effective emergency communications system.
- A funding provision that identifies the cost necessary to implement the emergency communications system.<sup>10</sup>

The Division is responsible for the implementation and coordination of the plan and must adopt any necessary rules and schedules related to public agencies for implementing and coordinating the plan.<sup>11</sup>

The Secretary of DMS, or his or her designee, acts as the director of the statewide emergency communications system and is authorized to coordinate the activities of the system with state, county, local, and private agencies. The director must consult, cooperate, and coordinate with local law enforcement agencies.<sup>12</sup> No emergency communications number E911 system can be established and no present system can be expanded without prior approval of the Division.<sup>13</sup>

### **Domestic Violence**

Domestic violence is any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member and includes a threat of such acts against an individual in a domestic situation, regardless of whether these acts or threats have been reported to law enforcement officers.<sup>14</sup>

“Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.<sup>15</sup>

### **Address Confidentiality Program for Victims of Domestic Violence**

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<sup>8</sup> *Next Generation 911*, National Highway Traffic Safety Administration National 911 Program, <https://www.911.gov/issues/ng911/> (last visited Mar. 6, 2025).

<sup>9</sup> “Public agency” means the state and any city, county, city and county, municipal corporation, chartered organization, public district, or public authority located in whole or in part within this state which provides, or has authority to provide, firefighting, law enforcement, ambulance, medical, or other emergency services. S. [365.171\(3\)\(c\), F.S.](#)

<sup>10</sup> S. [365.171\(4\), F.S.](#)

<sup>11</sup> *Id.*

<sup>12</sup> S. [365.171\(5\), F.S.](#)

<sup>13</sup> S. [365.171\(9\), F.S.](#)

<sup>14</sup> S. [741.28\(2\), F.S.](#) and S. [741.402\(3\), F.S.](#)

<sup>15</sup> S. [741.28\(3\), F.S.](#)

The Address Confidentiality Program for Victims of Domestic Violence operated by the Office of the Attorney General was designed to provide program participants with a substitute address<sup>16</sup> designated by the Attorney General in order to protect such participants and prevent their assailants or probable assailants from locating them. The program allows a participant to use his or her substitute address in lieu of his or her actual address with state and local agencies, which subsequently allows such agencies to comply with public record requests without jeopardizing the safety of program participants.<sup>17</sup>

### Application Process and Certification

A person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of a person adjudicated incapacitated may apply to the Attorney General to participate in the Address Confidentiality Program and acquire a substitute address. Funding permitting, the Attorney General shall approve an application if it is filed with the Attorney General's Office in the manner and on the form prescribed by the Attorney General<sup>18</sup> and contains all of the following:

- A sworn statement by the applicant that the applicant has good reason to believe that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, and that the applicant fears for his or her safety or his or her children's safety or the safety of the minor or incapacitated person on whose behalf the application is made.
- A designation that the Attorney General shall serve as the applicant's agent for purposes of service of process and for the purpose of receipt of mail.
- The mailing address and phone number or numbers where the applicant can be contacted by the Attorney General.
- A statement that the substitute address or addresses that the applicant requests will not be disclosed.
- The signature of the applicant and of any individual or representative of any office who assisted in the preparation of the application,<sup>19</sup> and the date on which the applicant signed the application.<sup>20</sup>

Upon receipt of a properly filed complete application, the Attorney General must certify the applicant as a program participant. Applicants are certified for four years following the date of filing unless the certification is withdrawn or invalidated before that date.<sup>21</sup> A program participant will have his or her certification withdrawn if he or she:

- Obtains a name change; or
- Applies to become a program participant using false information.<sup>22</sup>

Additionally, a program participant may have his or her certification cancelled if:

- He or she changes his or her residential address from the one listed on his or her program application, unless he or she provides the Attorney General with 14 days' prior notice of the change of address.
- Mail forwarded by the Attorney General to the program participant's address is returned and is undeliverable or if service of process documents are returned to the Attorney General.<sup>23, 24</sup>

### Agency Use of Substitute Address

After obtaining certification as a program participant, such participant may request that state and local agencies or other governmental entities use the substitute address provided by the Attorney General as his or her address.<sup>25</sup> When creating a new public record, state and local agencies or other governmental entities shall accept the participant's substitute address, unless the Attorney General has determined that:

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<sup>16</sup> "Address" means a residential street address, school address, or work address of an individual, as specified on the individual's application to be a program participant. S. [741.402\(1\), F.S.](#)

<sup>17</sup> S. [741.401, F.S.](#)

<sup>18</sup> An application fee may not be charged. S. [741.403\(2\), F.S.](#)

<sup>19</sup> The Attorney General is required to designate state and local agencies and nonprofit agencies that provide counseling and shelter services to victims of domestic violence to assist persons applying to become program participants. S. [741.408, F.S.](#)

<sup>20</sup> S. [741.403\(1\), F.S.](#)

<sup>21</sup> S. [741.403\(3\), F.S.](#)

<sup>22</sup> S. [741.404\(1\) and \(4\), F.S.](#)

<sup>23</sup> S. [741.404\(2\) and \(3\), F.S.](#)

<sup>24</sup> The Attorney General's Office must forward all first-class mail to a program participant at no charge. S. [741.405\(8\), F.S.](#)

<sup>25</sup> A program participant may use his or her designated substitute address as his or her work address. S. [741.405\(7\), F.S.](#)

- The agency or entity has a bona fide statutory or administrative requirement for the use of the participant's actual address which would normally be confidential under the program.
- The participant's actual address will only be used for those statutory and administrative purposes.
- The agency or entity has identified the specific program participant's record for which the waiver is requested.
- The agency or entity has identified the individuals who will have access to the record.
- The agency or entity has explained how its acceptance of a substitute address will prevent the agency from meeting its obligations under the law and why it cannot meet its statutory or administrative obligation by a change in its internal procedures.<sup>26</sup>

The agency or entity is required to use the substitute address of the participant until such time as the Attorney General makes all of the required findings for a waiver.<sup>27</sup> If the Attorney General determines that a waiver is permitted, the Attorney General must notify and require the agency or entity to:

- Maintain the confidentiality of a program participant's actual address information.
- Limit the use of and access to that address.
- Designate an address disposition date after which the agency or entity may no longer maintain the record of the actual address.
- Comply with any other provisions and qualifications determined appropriate by the Attorney General.<sup>28</sup>

#### Supervisor of Elections Use of Substitute Address

A program participant who is otherwise qualified to vote may request a vote-by-mail ballot. The program participant will automatically receive vote-by-mail ballots for all elections in the jurisdictions in which he or she resides, in the same manner as vote-by-mail voters, at the participant's actual address designated in his or her program application. The name, address, and telephone number of a program participant may not be included in any list of registered voters available to the public.<sup>29</sup>

#### Dating Violence

Dating violence is an act of assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death, committed between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship is determined based on the consideration of the following factors:

- A dating relationship must have existed within the past six months;
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.<sup>30</sup>

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<sup>26</sup> S. [741.405\(1\), F.S.](#)

<sup>27</sup> S. [741.405\(2\), F.S.](#)

<sup>28</sup> S. [741.405\(4\), F.S.](#)

<sup>29</sup> S. [741.406, F.S.](#)

<sup>30</sup> S. [784.046\(1\)\(a\) and \(d\), F.S.](#)

## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Criminal Justice Subcommittee</a>	18 Y, 0 N, As CS	3/6/2025	Hall	Leshko

THE CHANGES ADOPTED BY THE COMMITTEE:

- Required the Division of Telecommunications within the Department of Management Services to consult with specified entities to conduct a feasibility study regarding a web-based 911 alert system for use by victims of domestic violence and dating violence.
- Required the Attorney General to designate certain entities to assist victims of dating violence applying to be Address Confidentiality Program participants.
- Revised legislative findings related to the Attorney General’s Address Confidentiality Program.
- Revised the definition of “dating violence.”
- Removed the creation of a coordinating council and removed language expanding existing public record exemptions.

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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