

1 A bill to be entitled
 2 An act relating to public records; amending s.
 3 741.465, F.S.; defining the term "address"; providing
 4 that the names, addresses, telephone numbers, and
 5 social security numbers of victims of dating violence
 6 who participate in the Address Confidentiality Program
 7 for Victims of Domestic and Dating Violence are exempt
 8 from public records requirements; providing for
 9 retroactive application of the exemption; providing
 10 for future legislative review and repeal; providing a
 11 statement of public necessity; providing a contingent
 12 effective date.

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

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 16 **Section 1. Section 741.465, Florida Statutes, is amended**
 17 **to read:**

18 741.465 Public records exemption for the Address
 19 Confidentiality Program for Victims of Domestic and Dating
 20 Violence.—

21 (1) For purposes of this section, the term "address" means
 22 a residential street address, school address, or work address,
 23 as specified on the individual's application to be a program
 24 participant in the Address Confidentiality Program for Victims
 25 of Domestic and Dating Violence.

26 (2)~~(1)~~ The addresses, corresponding telephone numbers, and
27 social security numbers of program participants in the Address
28 Confidentiality Program for Victims of Domestic and Dating
29 Violence held by the Office of the Attorney General are exempt
30 from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution, except the information may be disclosed under the
32 following circumstances: to a law enforcement agency for
33 purposes of assisting in the execution of a valid arrest
34 warrant; if directed by a court order, to a person identified in
35 the order; or if the certification has been canceled. ~~For~~
36 ~~purposes of this section, the term "address" means a residential~~
37 ~~street address, school address, or work address, as specified on~~
38 ~~the individual's application to be a program participant in the~~
39 ~~Address Confidentiality Program for Victims of Domestic~~
40 ~~Violence.~~

41 (3)~~(2)~~ The names, addresses, and telephone numbers of
42 participants in the Address Confidentiality Program for Victims
43 of Domestic and Dating Violence contained in voter registration
44 and voting records held by the supervisor of elections and the
45 Department of State are exempt from s. 119.07(1) and s. 24(a),
46 Art. I of the State Constitution, except the information may be
47 disclosed under the following circumstances: to a law
48 enforcement agency for purposes of assisting in the execution of
49 an arrest warrant or, if directed by a court order, to a person
50 identified in the order. This exemption applies to information

51 made exempt by this subsection before, on, or after the
52 effective date of the exemption.

53 (4) (a) The exemptions in this section apply to records
54 held by the Office of the Attorney General, the Department of
55 State, and each supervisor of elections before, on, or after the
56 effective date of this act.

57 (b) This section is subject to the Open Government Sunset
58 Review Act in accordance with s. 119.15 and shall stand repealed
59 on October 2, 2030, unless reviewed and saved from repeal
60 through reenactment by the Legislature.

61 **Section 2.** (1) The Legislature finds that it is a public
62 necessity that the addresses, corresponding telephone numbers,
63 and social security numbers of victims of dating violence who
64 participate in the Address Confidentiality Program for Victims
65 of Domestic and Dating Violence held by the Office of the
66 Attorney General be made exempt from s. 119.07(1), Florida
67 Statutes, and s. 24(a), Article I of the State Constitution. The
68 Legislature recognizes that greater protection is needed for
69 victims of dating violence, similar to that currently afforded
70 to victims of domestic violence, to prevent harm from assailants
71 or probable assailants who are attempting to find them. The
72 Legislature finds that release of such information could
73 significantly threaten the physical safety and security of
74 victims of dating violence who participate in the program and
75 that the harm that may result from the release of the

76 information outweighs any public benefit that might result from
77 public disclosure of the information.

78 (2) The Legislature finds that it is a public necessity
79 that the names, addresses, and telephone numbers contained in
80 voter registration and voting records of victims of dating
81 violence who participate in the Address Confidentiality Program
82 for Victims of Domestic and Dating Violence held by the
83 supervisor of elections and the Department of State be made
84 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
85 Article I of the State Constitution. Victims of dating violence
86 who are participants in the program will have demonstrated to
87 the Office of the Attorney General that there exists a risk to
88 their physical safety and security. Nonetheless, these program
89 participants must be afforded the ability to participate in
90 society and cast a vote in elections. However, the supervisor of
91 elections must have a verifiable address for a program
92 participant in order to place the participant in the proper
93 voting district and to maintain accurate records for compliance
94 with state and federal requirements. The public record exemption
95 for the name of a victim of dating violence who is a participant
96 in the program is a public necessity because access to such name
97 narrows the location of that participant to his or her voting
98 area. In addition, access to such participant's address and
99 telephone number provides specific location and contact
100 information for the participant. Therefore, access to the

101 participant's name, address, and telephone number defeats the
102 sole purpose of the Address Confidentiality Program for Victims
103 of Domestic and Dating Violence, which is to provide safety and
104 security to every participant.

105 **Section 3.** This act shall take effect on the same date
106 that HB 19 or similar legislation takes effect, if such
107 legislation is adopted in the same legislative session or an
108 extension thereof and becomes a law.